Rule and Constitutions

Nihil Obstat:

WILLIAM J. GAUCHE, S. T. D.

Censor Deputatus

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† JOHN T. MCNICHOLAS

Archbishop of Cincinnati

November 4, 1941

BULL OF POPE PIUS XI

Given on October 4, 1927

For the confirmation and publication of a new Rule for the Third Order Regular of the Holy Father Saint Francis

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Nihil Obstat:

Fr. James Meyer, O. F. M.

Censor Deputatus

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Archbishop of Chicago

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RULE OF THE THIRD ORDER REGULAR

THE CONSTITUTION: RERUM CONDICIO

PIUS, Bishop, Servant of the servants of God, as a perpetual memorial of the matter.

Such was the state of affairs, especially in Italy, toward the close of the twelfth century that, though all Christendom was universally established in the Faith, still great numbers of people, going astray in the quest of transient things and puffed up with the pride of life, gave way to every manner of depravity, and, as the charity of Christ ran low, they fell to nursing feuds, plunging the various communities into disastrous civil strife. Nothing could have been more desirable at the time than that some exceptional person should be raised up by God, who, distinguished by a reputation for every virtue, would apply the proper remedy to the prevailing evils and recall the people to Christian ways of living.

Now it is well known that the task of reforming society in those days was committed by God particularly to Francis of Assisi, who strove to unite the world in mutual charity by off-setting unbridled vice with the pursuit of Christian humility and poverty. So it was that, as vast numbers of disciples rallied around this man, the family of Francis grew to an extent that was truly boundless, being swelled by the members of the three Orders which Francis himself had founded, as also by those tertiaries who in their desire for greater perfection began to lead a life in common and became known as the members of the THIRD ORDER REGULAR.

It was, therefore, quite right that the latter also joyfully celebrated the memory of their Seraphic Father during the year of the seventh centenary of his death, observing it not only with their

pious prayers and solemn public services but also with resolutions of increased devotion. It is well known how zealously the Tertiaries Regular have sought, from the very origin of their way of life, to acquire the holy spirit of Francis, and how they have been accustomed to express that spirit in their many works of piety and charity. For that reason Our predecessor Pope Leo X approved their Rule in the constitution INTER CETERA.

But, as will happen in human affairs, a number of points in the Rule of Pope Leo X either have, in the course of time, become quite obsolete or no longer agree entirely with certain provisions of the Code of Canon Law. Therefore, it has become necessary to adapt the Rule of Leo X to modern conditions and to the more recent decrees of the Church so that the Tertiaries Regular, as also the many other religious families with the simple vows which in some way have Saint Francis as their Father insofar as they have chosen the spirit of Saint Francis as the spirit of their Institute and are known as Franciscans, may be thus encouraged to continue with even greater zeal to deserve well of Christianity and civilization.

We have, therefore, committed to the Sacred Congregation in charge of religious affairs the task of modifying said Rule. The Sacred Congregation, having composed a new Rule which is more thoroughly prevaded with the Franciscan spirit and in harmony with the modern Law of the Church, has submitted this Rule to Us for formal approval.

RULE

Chapter I

Sum and Substance of the Religious Life

1—The form of life of the Brothers and Sisters of the Third Order Regular of Saint Francis is this: to observe the Gospel teaching of Our Lord Jesus Christ by living in obedience, chastity and poverty.

2—The Brothers and Sisters, following the example of their Seraphic Father, promise obedience and reverence to the Pope and to the Holy Roman Catholic Church. They are also bound to obey their canonically established Superiors in all things that pertain to the general and particular aim of their respective Institute.

Chapter II

Novitiate and Profession

3—The Brothers and Sisters to be received into the Third Order must be faithful Catholics, not suspected of heresy, firm in obedience to the Roman Catholic Church, unmarried, free of debt, sound of body, ready of mind, of good reputation and at peace with their neighbors. On all these matters they shall be carefully examined before reception by the one who has the authority to receive them, with due observance of the Sacred Canons and the Constitutions of their Institute.

4—The year of the novitiate must, under the discipline of a master, have as purpose to train the mind of the novice in the study of the Rule and the Constitutions, in pious meditation and the love of prayer, in mastering all that pertains to the vows and the virtues, in suitable exercises calculated to root out the germs of vice, to curb the passions and to acquire virtues. Lay novices should, moreover, be carefully instructed in Christian Doctrine, a special conference being given them at least once a week.

5—At the end of the time of probation, those who are found fit should be admitted to profession.

Chapter III

Love of God and Neighbor

6—The obstacles to sanctity being removed by the three vows, the Brothers should strive to fulfill the divine Law which depends wholly upon the love of God and neighbor. Charity is the soul of all virtues and the bond of perfection. Nothing is better, nothing more effective than charity to mortify the passions, to advance in grace and to attain to the height of all virtues.

7—A great sign of and aid to the love of Christ is the frequent and even daily reception of the Holy Eucharist which is at once a sacred banquet and a memorial of His passion. It should also be the endeavor of religious souls to visit frequently and to venerate deeply Our Lord Jesus abiding among us in this admirable mystery; for this is the greatest Sacrament of the Church and an inexhaustible fountain of all blessings.

8—But the test of the love of God is the practice of charity toward our neighbor. Wherefore, charity towards others should appear above all in the true follower of Christ. His conversation should be guarded, useful and proper; that charity abound in deed it must first abound in the heart.

Chapter IV

Divine Office, Prayer and Fasting

9—The Brothers should perform the divine office worthily, attentively and devoutly according to their Constitutions. Lay members, however, shall say twelve Our Fathers for Matins and Lauds and five for each of the remaining canonical hours.

10—They must attend Mass daily unless they are legitimately prevented and they must see to it that they have a pious priest, approved by the Ordinary, to preach the word of God to them on certain days and to instruct them in penance and virtue.

11—They should also examine their conscience daily to determine in what way they have offended either in thought, word or deed. Then, let them humbly ask pardon for their faults and offer to God their firm purpose of amendment.

12—All should try, by frequent meditation on the passion of Christ, to nourish and increase, day by day, the fervor of their devotion; in this, let them imitate the example of their Seraphic Father so that they may say with Saint Paul: "With Christ I am nailed to the cross." "I live now not I, but Christ liveth in me."

13—Besides the fasts and abstinences to which all the faithful are obliged, they must observe the prescriptions of their respective Constitutions, notably on the vigils of the Immaculate Conception and of their Seraphic Father, Francis.

Chapter V

Interior and Exterior Conduct

14—Since the Brothers of this Fraternity form an Order dedicated to penance, they should daily carry the cross of mortification as becomes true penitents.

15—It behooves them, likewise to refrain from all that is choice in apparel as well as in everything else. And in accordance with the salutary advice of Saint Peter, the Prince of the Apostles, they should, after laying aside the other vain ornaments of the world, wear no other bodily ornament but their religious garb. They are, furthermore, bound to observe the enclosure according to the Sacred Canons and their respective Constitutions.

16—They must also be sparing of words and conversations which cannot be indulged in freely without sin. Let the conduct of the Brothers be such that they may edify all by word and example, remembering what Our Lord said: "So let your light shine before men that they may see your good works and glorify your Father Who is in heaven." Let them approach everyone with the humble and pious greeting of peace (Pax vobis)not only on their lips but also in their hearts.

Chapter VI

The Care of the Sick

17—If a Brother falls ill, no one should refuse to offer his services; it shall be the duty of the superiors to provide for the proper care of the patient. The others who are not assigned to

this duty should not hesitate to visit the patient and comfort him with consoling words. Not only to the sick, however, but also to the aged and otherwise needy should all gladly tender the offices of charity, as becomes the children of the Seraphic Father.

18—The superiors, especially, are bound to admonish the sick Brother to accept his illness in the right spirit and with resignation to the holy Will of God, reminding him of the nearness of death and the severity of divine justice as well as of the divine mercy.

19—When a Brother has departed this life, the superiors shall see to it that the obsequies are held with great piety. The prescribed suffrages should be faithfully performed for the soul of every deceased member.

Chapter VII

Nature and Manner of Work

20—Those who, inspired by the grace of the Holy Ghost, have dedicated themselves to the service of God should avoid idleness and give their efforts faithfully and devoutly to the divine praises or to the various works of piety and charity.

21—The religious should, therefore, perform their duties for the love of God and do whatever their superiors may require of them to the best of their ability, devoutly and faithfully, as has been said. Nor should they refuse to perform the humbler tasks that may be imposed upon them; on the contrary, following the footsteps of their Seraphic Father, they should perform them more willing than other tasks.

22—Let all things be done in charity and let the holy love of God so animate the sentiments of the religious in doing their work that they may labor only for His honor and glory and fulfill the admonition of Saint Paul the Apostle: "Whether you eat or drink or whatever else you do, do all to the glory of God."

Chapter VIII

Obligation of the Rule

23—Each and all the articles contained in the present Rule are counsels to help the wayfarers save their souls more easily; none of them obliges under sin, either mortal or venial, except where one is otherwise obliged to them by human or divine law.

24—The Brothers are, however, obliged to perform the penances imposed on them by their superiors when required to do so. They are also obliged to keep the essential vows: Poverty, within the limits of their respective Constitutions; Chastity, binding themselves to observe celibacy and to refrain under an additional title, namely, that of the vow itself, from every act whatsoever, be it external or internal, that is opposed to chastity; and Obedience, assuming the obligation to obey the command of their lawful superior according to the tenor of their respective Constitutions.

25—All the Brothers should guide and govern their life according to the law of the religious state which they have professed and, above all, faithfully observe whatever pertains to the perfect fulfillment of their vows. They should have the highest regard for those points especially which direct them to follow the charity and poverty of their Seraphic Father, for it becomes the child to reproduce in itself the image and virtues of its parents.

CONCLUSION

On our part, abrogating altogether the old Rule of Pope Leo X, We gladly, at the close of the seventh centenary of the death of Francis, approve and confirm by Our Apostolic authority this Rule of the Third Order Regular of the Seraphic Father Saint Francis. We trust that the tertiaries regular as also all those who, though they do not have solemn vows according to their Institute yet lead a religious life under the guidance of Saint Francis, will find strength in the spirit of the new Rule to be models in the pursuit of christian perfection for those of their tertiary brethren who remain involved in the business and cares of the world and

as Our predecessor, Pope Benedict, so beautifully wrote "continue to go before them as leaders in the quest of eternal salvation."

This We command, decreeing that the present document and the laws inserted and included in it shall be and remain firm, valid and effective, requiring and retaining their full force redounding to the fullest benefit of those who are or shall hereafter be affected by them; let those whose concern it is judge and define in accordance with them. Whatsoever may be attempted to the contrary in this matter by whomsoever, under whatever authority, wittingly or unwittingly, shall henceforth be null and void, even though it be worthy and deserving of special mention. We wish, however, that copies and excerpts of this document, bearing the signature of a notary public and armed with the seal of an ecclesiastical dignitary, shall enjoy the same respect as should be given to these present were they produced or displayed.

Given at Saint Peters, Rome, the fourth day of the month of October, on the feast of Saint Francis of Assisi, in the year 1927, the sixth of Our Pontificate.

By the special command of His Holiness

Fr. Andrew Cardinal Fruhwirth
S. R. E. Cancellarius

C. Card. Laurenti
S. C. de Rel. Praef.

Joseph Wilpert,
Prot. Apost., Dec.

Dominic Jorio,
Prot. Apost.

THE CONSTITUTIONS OF THE CONGREGATION OF THE POOR BROTHERS OF THE THIRD ORDER OF SAINT FRANCIS SERAPHICUS

PART ONE

The Nature of the Congregation; the Enrollment of Members and the Manner of Life

Chapter I

The End and Purpose of the Congregation

1. I—The Poor Brothers of Saint Francis, ordinarily called "The Franciscan Brothers," form a community of laymen, living a common life in order to follow Christ and to strive after evangelical perfection through the observance of the three simple vows of voluntary poverty, perpetual chastity and perfect obedience, according to the example of Saint Francis, their holy Father.

II—They seek to arrive at this general end by pursuing a special purpose which consists in the care of poor and abandoned boys whose education has been neglected and in using the means conducive to that end—as will be explained more fully in these rules which they accept as their norm of life.

III—As their holy Father, Saint Francis, chose poverty as his spouse on account of Christ's love for the poor, so that he is now entitled "The Poor Man of Jesus Christ," in like manner do the Brothers of this Congregation take the love of poverty as their special sign and call themselves "poor brothers" because they desire not only to be merely Brothers to all poor people but also to be poor themselves and to be like the poor.

2. I—The special purpose of the Congregation is, as has been stated, the care and education of neglected boys. However, the Brothers do not consider beyond the scope of this purpose the taking charge of reformatories and penal institutions and workingmen's colonies which may be offered to them.

II—Since education includes instruction in the school, the Congregation must exercise care that there be always a sufficient number of Brothers on hand who can act as qualified and approved teachers or who are being trained to this end. Likewise, the Congregation must see to it that it is never without Brothers who can instruct and train boys past school age in the various trades and agriculture.

III—The Brothers should accept not only boys who have received their primary training and elementary education in the houses of the Congregation, but they should also take other boys who want to learn a trade or agriculture; in this way, boys are given a more secure protection during those years in which the danger of demoralization is greatest.

Chapter II

Admission to the Congregation and Qualifications of Aspirants

3. Should there be, in the course of time, any boys among those who have received their education and training in the institutions of the Congregation who manifest a pronounced inclination to join the Community later on, they should live apart from the rest of the boys and from the Brothers of the Community as well. Although they retain their full liberty, they should follow a fixed schedule adapted to their needs. It is self-evident that they must present such testimonials and credentials which establish that no essential impediment exists that would hinder them from being eventually admitted into the Congregation.

4. I—Whoever seeks to join the Congregation, no matter whether he has been in one of the institutions of the Brothers or comes from somewhere else, must submit to an examination of his vocation both in regard to the intention which prompts him to ask for admittance and relative to his fitness for the work of the Congregation.

II—Above all else, the examination must take into consideration: whether good and supernatural motives animate the candidate, whether he asks to join the Congregation in order to serve God better, to realize his eternal salvation, to become more

Christ-like, to gather for himself a rich treasure of heavenly merits by self-sacrificing service to his fellow men or if he has in mind only purely natural and earthly motives, such as avoiding, through monastic life, the worries of gaining a livelihood or fleeing the burdens and trials which beset him in the world.

III—Although it may sometimes happen that worldly motives may prompt a person to take up a more perfect state of life, there is not a true vocation in such a case and hence there can be no thought of admission into the Congregation as long as the candidate does not purify his intention and base his desire for admittance on supernatural motives.

5. I—Another point of examination is to inquire whether the candidate meets the requirements which our rules lay down and especially those which the Code of Canon Law demands.

II—According to our own particular rule, candidates must have a blameless character, sound mind, good and docile disposition; they must not be sick or deformed; they must come from a respectable family and be of legitimate birth. Moreover, as a rule, no one shall be admitted before the completion of his seventeenth year nor after the completion of his thirty-fifth year. Finally, all candidates must show such ability which gives a well grounded hope that they will be useful members of the Congregation in carrying out its work.

III—In keeping with the rules on the Postulancy laid down in Chapter III, and according to the Code of Canon Law:

A. Those are admitted *invalidly* to the novitiate:

1. who have joined a non-Catholic sect; i. e. after having professed the Catholic Religion;
2. who have not completed at least fifteen years;
3. who have entered a religious community through force, grave fear or fraud, or who have been admitted through force, grave fear or fraud exercised on the superior;
4. who are married, as long as the marriage endures;
5. who are, or were once, bound by the bond of religious profession;

6. who have reason to fear that they can be legally punished for a serious crime of which they are or can be accused.

B. The following are admitted *illicitly* but validly:

1. those who are in debt and cannot meet their obligations;
2. those who are obliged to give an account of the management of some affair, or who are involved in some business from which the Congregation may fear that a law-suit or serious trouble may arise;
3. those whose parents, that is, father or mother, grandfather or grandmother, are in serious need and whom they must help; likewise those whose work is necessary for the support and education of children;
4. those who belong to the Oriental Rite and who have not obtained permission in writing from the Sacred Congregation for the Oriental Church.

6. Only the Superior General, with the consent of his Council, can grant permission for the admission of a candidate, in whose particular case, on account of some outstanding qualities, it may seem advisable to admit him despite one of the above mentioned impediments; if it is the case of a candidate with an impediment imposed by the Code of Canon Law, he can be admitted only by the dispensation of the Holy See. (Cf. No. 5, Para. III.)

7. The right to admit anyone to the novitiate and to subsequent profession, whether temporary or perpetual, belongs to the higher Superiors, among us, to the Superior General for the whole Congregation and to the Provincial for his Province, who need the consent of their respective Councils, either general or provincial, as determined more fully below. (Cf. 14)

II—Moreover, the superior who grants permission for admission is bound to see to it that the documents and testimonials required by the Code of Canon Law are on hand for every candidate before he is admitted to the novitiate.

The Code requires:

1. That all who wish to enter any religious community must first present a record of their baptism and confirmation before they are admitted.
2. that a candidate seeking admission into a community of men present testimonial letters from the Ordinary of the place of his birth and from the Ordinaries of such places where the candidate lived uninterruptedly (morally speaking) for over a year after he had completed his fourteenth year of age.
3. that if a candidate has ever been in a seminary or college, postulate or novitiate of another Order, he must also furnish testimonial letters from either the Rector of the seminary or college after they have heard from the Ordinary of the place or from the proper authority of the Order, just as the case demands.
4. If a religious, who has already taken vows, is making a change by permission of an Apostolic Indult, it is sufficient for him to present testimonials from the higher Superior of his former Order.

Chapter III

The Postulate

8. I—Before any one is allowed to enter the novitiate of our Congregation he must make a postulate of six full months. The higher superior can, after having obtained the consulting vote of his council and having discussed the case with the Master of Postulants, prolong this time but not for more than another half year.

II—The right of admitting a candidate to the postulate and of dismissing him belongs to the higher Superior.

III—The postulate must be made under the special direction of a trustworthy Brother either in the house of the novitiate or in any other house of the Congregation in which the

rules laid down in the Constitutions are accurately observed. The postulants should dress in simple wearing apparel different from that of the novices.

9. I—Before they begin the novitiate, the postulants must make a ten day retreat and a general confession of their previous life, should the prudent judgment of their confessor so advise.

II—Before entering the novitiate, which begins with the investiture with the habit, every candidate must sign a written declaration wherein he agrees that, in the event of his leaving or being dismissed from the community, he has no right to any remuneration for the work which he has done or for the service which he has rendered or to any compensation for the revenue which the community may perhaps have received from his property.

Chapter IV

The Investiture and Form of the Habit

10. I—The investiture with the habit follows the ceremonial approved for the Congregation. The habit should be of coarse, brown, woolen cloth, girded at the waist by a white woolen cincture from which a rosary is hung. All the Brothers, except the novices, must wear over the habit a scapular of the same material and color as the habit which is a hand breadth shorter than the habit. They must always wear the habit inside and outside the house, unless, according to the judgment of the Superior General or Provincial, some serious reason excuses; in case of urgent necessity, the Local Superior may excuse.

II—There is no distinction of classes among the Brothers of our Congregation. All are bound by the same obligations, are governed according to the same laws, live the same common life and abide by the same rules.

Chapter V

The Novitiate

Article I

The Novitiate House and the Training of Novices

11. I—The permission of the Apostolic See is necessary for the erection of a novitiate house. Several novitiates in the same province can be erected only for a serious reason and then only by a special Apostolic Indult. The authorities should assign to the novitiate house only such Brothers as give good example by their zealous and exact observance of the Rule.

II—The novitiate of our Congregation is completed in two years; however, only the first year is necessary for the validity of the profession.

Moreover, to be valid, the first year of the novitiate

1. must be made after the completion of at least the 15th year
2. must be uninterrupted for one whole year
3. must be made in the novitiate house.

III—The first year of the novitiate is interrupted and, hence, must be begun over and completed when the novice is dismissed by his Superiors or when he leaves the novitiate without permission and has no intention of returning or when he leaves with the intention of returning and with the permission of the Superior but stays out of the novitiate uninterruptedly or at intervals of over thirty days. If a novice stays out of the novitiate more than fifteen days, but not over thirty days, with the permission of the authorities and even with interruption, or when he is forced to live outside the novitiate by reason of obedience to his superior, his novitiate is still valid but he must make up for the days which he has lost. If the stay outside of the novitiate was not over fifteen days, the Superiors can prescribe in what way he is to make up for the lost time, but this is not necessary for the validity of the novitiate.

IV—After the two years of probation are completed, our novices may take their vows, even on the anniversary of their investiture, provided all other regulations are observed.

12. I—During the time of the novitiate, the novices should be kept as far as possible from contact with people in the world so that, through their withdrawal from the outside world, they may foster companionship with God. Further, they must be made familiar with all the religious exercises of the Congregation and be initiated into the different kinds of occupations and work which the Congregation carries on in the practice of its vocation, especially in such work in which humility, self-denial and brotherly love are principally practiced.

II—The novitiate should be separated as far as possible from that part of the house in which the professed Brothers live so that the novices do not come in contact with the professed Brothers, nor the Brothers with the novices, without special reason and without permission of the Superior or the Novice Master. All the Brothers regularly convene only in the Church and in the refectory.

III—The novices are never allowed to speak to outside persons except with permission of the Superior or the Novice Master. They may speak with persons of the opposite sex only in the presence of the Novice Master; however, an exception is made in the case of visiting with one's mother or sister. But with regard to all other persons, exception may be made only when the Superior judges that there is a good reason to allow it.

IV—The direction of the novitiate and training of the novices belongs to the office of the Novice Master who should have an assistant if possible. Both of them should have those qualities and gifts which are enumerated in Part II, Chapter VII, of these Constitutions.

V—The time of the novitiate, under the direction of the Novice Master, should have for its purpose to form the very spirit of the novices through the study of the rules and regulations, through pious meditation and zealous prayer, through

exercises that are directed to root out faults, to rule the passions and to acquire the virtues needed. Besides, the novices should be carefully instructed in Christian Doctrine—they should have religious instruction at least once a week.

VI—During the first year of the novitiate, the novices should not be employed in any work which the Congregation undertakes, nor should they be allowed to pursue the study of literature, the sciences or arts. They may perform ordinary domestic work and vocational occupations only in so far as these do not keep them from the exercises of the novitiate; but they may never be given any office of importance.

However, in the second year of the novitiate, the novices are allowed to give some of their time to study or other occupations but, as a rule, only in the house of the novitiate itself. Only the Superior General or the Provincial can allow a transfer to another house, according to the prescription of No. 112 of these regulations.

13. I—Throughout the whole time of probation, the novices are under the direction and training of the Novice Master to whom they owe love and sincerity. They should approach him with confidence and an open mind and, in their contacts with him in general, so act as befits subjects to their Superior. They should carefully strive to obey with humility, simplicity and joy; and out of love of God to overcome stubbornness, contrariness and capriciousness and accept all admonitions, reprimands and penances with humility and meekness and with the firm resolution to always become better and more perfect.

II—The Novice Master should give an half hour instruction daily to the novices, provided the confessor or priest who holds the office of spiritual director does not give the instruction. If there is such a priest in the house, he will give the novices special instruction several times a week; moreover, he should frequently speak privately with each novice in order to foster in him a tender conscience and to develop in him more fully the religious life.

III—In regard to the reception of the Sacraments of Penance and Holy Eucharist, the novices should follow the same regulations that Chapter X lays down for all the Brothers.

Article II

The Admission of Novices to Vows

14. The right to allow novices to take vows belongs to the higher Superior, that is, to the Superior General of the whole Congregation and to the Provincials in their provinces. They are, however, bound to obtain the deliberate vote of their councils beforehand and to consult the Novice Master. In like manner, only the higher Superiors have the right to dismiss a novice; in this case, however, they need only the consultative vote of their councils, unless it is a very urgent case.

15. I—Every six months, a conference should be held in regard to each novice to decide whether he should be kept or dismissed. A conference is also to be held towards the end of the novice's novitiate when special care must be exercised. The arguments for and against a novice are to be discussed in a plenary meeting of the council but in such a manner that absolute secrecy is maintained outside the council chamber.

II—If a novice has spent some time outside the novitiate in another house, the Superior and council of the house in which the novice actually resided must send a written testimonial of information to the Superior General or to the Provincial wherein they declare what they think of the novice and his fitness. This testimonial must be brought to the attention of the General Council or the Provincial Council.

III—After the completion of a two year novitiate, the novice, if he has been declared acceptable, should be allowed to make his profession—otherwise he should be dismissed. A retreat of ten days shall precede the taking of vows.

Chapter VI

The Taking of Vows

Temporary and Perpetual Profession

16. I—For the validity of the first religious profession, the following is required:

1. that he who makes the profession shall have completed his 16th year
2. that the higher Superior admit him to profession—the Superior General for the whole Congregation and the Provincial for his province—after having obtained the consent of his council
3. that a valid novitiate has been made according to the regulations under No. 11, II
4. that the profession is made without undue influence or coercion, grave fear or fraud
5. that it is made explicitly
6. that it is accepted by the Superior General or the Provincial or by someone delegated by them.

For the validity of perpetual vows it is further required that the temporary profession be made beforehand, according to the following Par. II, and that he who makes the perpetual vows has completed his 21st year.

II—The novice who has been accepted after completing his novitiate shall make a profession of simple vows for a period of three years, or for a longer time, if the age demanded for perpetual vows requires it. The Superior General or Provincial can lengthen this time after consulting his council; however, he cannot extend it over three more years. The Superior must take care that the Brother in question renews his temporary vows.

III—When a religious of another Order with solemn profession or with simple perpetual vows seeks to join our Congregation, after having secured special permission from the Holy

See, he shall, at the completion of his novitiate, not make temporary profession as described in Par. II, but he shall make simple perpetual vows or return to his former Order. The Superior General has the right to test him for a longer time but not beyond a year after the completion of his novitiate.

17. I—After the expiration of the time of the temporary vows, he who has been judged worthy by the council shall be admitted to perpetual vows. If the council judges otherwise, he shall be dismissed or, if it has been deemed advisable, he may be allowed to take temporary vows again, according to the requirements of No. 16, II; however, vows in this case shall not be made for more than three years.

II—There must be other and more serious reasons to vote against a professed Brother than are required to dismiss a novice. However, to make special mention of it, it is not allowed to take as a reason for denying a professed Brother with temporary vows the renewal of his vows or the profession of perpetual vows, the fact of sickness or physical defect which the professed Brother contracted during his religious life or to which he had a disposition at the time of his admittance but which was then unknown, unless the admittance was conditioned on his improvement with time. Above all else, a just cause is that the Brother has not done enough to root out his faults and to master the virtues of a religious.

III—Just as at the time of the investiture and of the making of the first vows, so too, before making perpetual vows, a ten day retreat must be made and a written declaration as described in No. 9, II, must be signed. In regard to temporal goods, a disposition must be made before taking the first vows in accordance with No. 22.

18. I—In making the religious profession, the rite in use by our Franciscan Congregation must be observed. A document declaring that the vows have been made must be signed by the Brother who makes the profession, by the one who received the profession, and by two witnesses and must be kept in the archives of the Congregation or Province.

II—The formula used in taking vows is as follows:

> I, Brother N. . . , vow and promise to God Almighty, to the Blessed Virgin Mary, to the holy Father Francis and to you, Reverend Brother Superior General (or Brother N. . . instead of Superior General) poverty, chastity and obedience for three years, (or to the end of my twenty-first year, or in perpetuity) according to the Constitutions of the Poor Brothers of Saint Francis Seraphicus.

Chapter VII

The Vows

The Vow and Virtue of Poverty

19. Since the three vows of voluntary poverty, perfect obedience and perpetual chastity belong to the very essence of religious life, the first and essential obligation of every religious is to observe them faithfully.

Article I

How the Vow of Poverty is to be understood

20. I—As sons of the holy Father Francis, the great lover of poverty, the Brothers find their glory and happiness in this that they profess to be a poor Congregation; still, by reason of the special purpose they pursue, they may possess and acquire earthly goods as a community. The right of possessing and acquiring property belongs to each house and institution of the Congregation.

II—The Superior, however, and even the Superior General, cannot administer these goods arbitrarily but only to supply the needs of the houses under their charge and of the Brothers living in them. However, in case of necessity, the Superior General with his council can levy a contribution to the extent of one-tenth of the annual income of any single house for the needs of the whole Congregation or for some particular house.

III—Moreover, both the whole Congregation as such and the individual provinces are allowed to possess and acquire property. Hence they are allowed to have a treasury which is to be administered by the Superior General (the provincial treasury by the Provincial) with the consent of his council in favor of his own house, for existing houses or for the establishment of new houses. With the dissolution of any house or institution its property reverts to the general treasury of the Congregation or to that of the province.

IV—The civil right or legal title to any property may be transferred to a certain Brother or Brothers who, according to the judgment of the Superior General or the Provincial with their respective councils, are deemed fit. Those Brothers, in turn, are obliged to provide immediately for a legal transfer and for the right of succession of the property transferred to them. Finally, the General Chapter has a right to provide other means to secure the property already possessed.

21. Since the annual income from property and contributions made by civic communities and others for the training and instruction of the pupils will hardly suffice for the needs of the Brothers and their houses, the Superiors must provide some suitable way of approaching charitable persons and asking them to give them the necessary support through their alms. If this is done by way of collection, then the statutes of Canon Law in this matter are to be strictly observed.

22. I—Each Brother, even those in perpetual vows, retains his native right of ownership and also the right to acquire property. By taking the vow of poverty, the Brothers oblige themselves before God not to dispose of anything valuable in any way according to their own free will and without the permission of their lawful Superior.

II—Therefore, before professing their first vows, the Brothers must, according to their own free will, dispose of the use and usufruct of their own property in favor of others, or, if they so desire, in favor of the Congregation. Likewise, they

must select one or more individuals according to their own judgment to administer their property for them. Of their own free choice, they may turn over the administration to the Congregation, provided the Congregation is properly advised and accepts the administration.

III—This disposition and renunciation ceases with withdrawal from the Congregation. In fact, every Brother is free to make this renunciation revocable at any time. It is considered advisable to do this, especially if the renunciation of one's rights has been made in favor of outsiders and not in favor of the Congregation. However, as long as the vows last, it is not allowed without permission of the Superior General to change the disposition of one's rights or his renunciation unless their is danger in delay and if the change, which affects a considerable part of the proporty, would not be in favor of the Congregation.

23. I—Brothers who have only temporal vows are not allowed to divest themselves of the radical ownership of their goods by giving them to living persons; nor are those in perpetual vows permitted to do so as regards those things actually possessed.

II—Before taking first vows, every Brother is free to dispose of his personal property, both actual and future, by making a will. After taking vows, the permission of the Holy See is needed if the Brother wishes to change the will. In case of necessity, the permission of the Superior General or the Provincial suffices; and should there be danger in waiting even for this permission, the permission of the Local Superior will suffice.

By future goods is meant those things which come to the Brother as a gift or through inheritance and which go to increase his holdings. Whatever is given to a Brother on behalf of the Congregation or whatever he acquires as a member of the Congregation becomes by that very fact the property of the Congregation.

III—Any property which the Brothers acquire by any kind of legal title after they have made their vows can and must be disposed of in accordance with the norms laid down in No .22, II, which regulate the disposition of goods possessed before the first profession.

IV—The Brothers may exercise those acts of ownership prescribed by law but only with the permission of the Superior General or, in case it is urgent, with consent of the Local Superior.

Article II

The Virtue of Poverty and its Practice

24. In the practice of poverty, the Brothers should not merely be content with not committing anything contrary to their vow but they must be imbued with the very spirit of poverty and develop its virtue and strive to free themselves from all attachment to earthly things. Therefore, they should diligently avoid being attached even to those things that are allowed to each Brother for his own use; and even in the case of the very necessities, they must be content with such things as are given them by order of the Superior. In fact, they should desire to receive the least and simplest of things; and should this actually happen, they should rejoice in the Lord inasmuch as they take the Lord and His poverty as their model. They ought to be mindful in the very use of things that they neither own them nor have any right to them; hence they may not arbitrarily change them and they must always be ready to accept any change which the Superior may see fit to make in regard to them.

25. The Brothers are not allowed to accept any gifts for their own use; this would be against the vow of poverty. Whatever is given to an individual Brother, does not belong to him but to the institution or house to which he is attached; or should the donor so desire, to the treasury of the whole Congregation or to a certain house designated by the donor. Therefore, the Brothers must hand over to the Superior all the gifts they receive. If the gift is for private use, it is for the Superior to

decide whether it is to remain in the use of the recipient or put to some other use.

26. I—Poverty must be evident in the daily use of things and in the appointments and furnishings of the various houses. Wherefore:

1. the decorations of the Church and the furnishings for priestly functions must be becoming but in no way precious or outstanding
2. the household furniture should be sufficient to supply necessities, but it should not be inadequate; its splendor should be that of poverty.
3. the rooms of the Brothers should be furnished with a table, a chair, a bedstead with a mattress of straw or some other material, and the necessary covers, a night commode, a crucifix, several pious pictures and a simple holy water font. Only those books should be there which were given to each Brother. No Brother should keep wearing apparel, food or money in his room; nor should anything be under lock and key.

II—Everything in our Congregation is held in common, even furniture, food and clothing. However, it is fitting that wearing apparel, which is strictly for personal use, should be distributed to the Brothers and kept separate in the common wardrobe.

Chapter VIII

The Vow and Virtue of Chastity

27. I—The vow of chastity obliges the Brothers to the practice of celibacy; and, moreover, by a new title namely, by virtue of the vow itself, it obliges them to abstain from every act opposed to chastity.

II—The practice of this virtue, which the Brothers have vowed to God makes them all the more pleasing to God just as its transgressors sin all the more gravely. For with one act two

sins are committed: one against the vow, in other words, against religion, and the other against chastity.

28. I—Therefore, all the Brothers must guard their senses with greatest vigilance, observing diligently the rules of religious modesty, strictly avoiding in word, gesture or action whatever violates propriety; never committing an act which savors of levity of mind. In fine, they should strive to observe accurately all the rules of religious discipline.

II—Moreover, the Brothers must be deeply conscious of the fact that we carry the treasure of this holy virtue in a fragile vessel during this mortal life and that we cannot preserve it securely unless helped by the grace of God. Therefore, as often as temptation arise, they should take refuge in prayer. But they must also strive beforehand, especially through diligence in spiritual exercises and through fervor in the reception of the Sacraments, to obtain for themselves a greater amount of divine grace. Another protection for chastity is the mortification of the heart.

Chapter IX

The Vow and Virtue of Obedience

29. I—All the Brothers must consider the words which Christ spoke to His disciples: "He that hears you, hears Me; he that despises you, despises Me", as spoken of their own Superiors. They should look upon their Superiors as taking the place of God in their regard and hence should always show them reverence and obedience, especially since the Brothers vowed obedience to their Superiors in Christ's stead.

II—By reason of the vow which they have made, the Brothers are absolutely bound to do those things relating to the observance of the vows and Constitutions that the Superior commands, "by virtue of obedience", or "in the name of Jesus Christ", or in similar terms. A Brother commits a serious sin against this virtue when he disobeys a precept of this kind in a serious matter and when given in accordance with the rules. The same is the case when a Brother commits a formal act of disobedience by using insolent language, such as, "I will not", "I

will not obey", and like phrases, in a serious matter of any kind, even if it is not commanded by virtue of holy obedience.

III—However, only the Superior General and the higher Superiors ought to command their subjects by virtue of holy obedience; even then, they should impose such a command only rarely and only in grave cases. The Local Superiors should avoid issuing formal commands before they have communicated with the Superior General or the Provincial. Moreover, it is fitting that even the higher authorities issue no formal command except in writing or at least before two witnesses.

30. Nevertheless, every Local Superior has the right to reprimand and punish, publicly or privately, any one of his subjects for any fault or transgression of the rules and regulations, even in the case of such rules and regulations that do not oblige of themselves under pain of sin. He can impose punishments from which ordinary corporal punishments are not excluded. The Brother must humbly submit himself to these reprimands and punishments. However, punishments which are serious and endure for some time may not be imposed except with the consent of the Superior General or Provincial.

31. I—Little is accomplished and small merit gained by merely keeping the vow of obedience. Therefore the Brothers should direct all their energy to the perfect practice of the virtue of obedience.

II—In regard to the external execution of any order, the Brothers should be convinced that they owe subjection and obedience even to the lesser authorities and to those who hold any office, but within the scope of that office; that they are to obey the Superior even when he does not command but merely expresses his will or only a desire; that they should fulfill every mandate of the Superior promptly and immediately without any contradiction or repugnance unless, what God forbid, the command be manifestly against the divine law; that they find no fault with any of the Superior's orders nor murmur against them nor agree with those who dare to do such things. If a higher Superior gives any Brother an office he does not thereby give him the

right to contradict the orders of his immediate Superior. In the exercise of his office, he is subject to the authority of his immediate Superior and, although he may propose his opposing views with modesty and in keeping with the circumstances, he must abide ultimately by the Superior's judgment.

III—All the Brothers should firmly root deeply in their minds the persuasion that they must animate the outward observance enjoined by obedience with inner subjection and readiness of heart. Therefore, thoroughly inspired by the great merit attached to obedience, the Brothers should accustom themselves to see in every order of their Superior a mandate of Christ; and they should strive to place all that they do under the virtue of holy obedience and thus protect themselves all the more efficaciously against self-love and its deceits. They should conform their wills to the will of their Superior and they should use their minds to understand the mandates of their Superior and should seek reasons to justify them and not to criticize them or find fault with them.

IV—No one should interfere with the office of another except by order of the Superior.

32. Finally, the lesser authorities must observe in regard to the higher authorities all that has been said on obedience, especially in regard to the Superior General. They should obey him in the same way that the subject of a house is bound to obey the Local Superior and higher authorities.

Chapter X

Of the Sacraments of Penance and Holy Eucharist

33. I—Great care is to be exercised in all religious exercises but especially in the reception of the Sacraments of Penance and Holy Eucharist, both in regard to preparation and thanksgiving.

II—All Brothers should confess at least once a week and, as a rule, to the ordinary confessor of the house.

III—If a Brother asks for a special confessor the Superior should grant the request without making any inquiries and without manifesting any displeasure in regard to it.

IV—If a Brother, for the peace of his conscience, confesses to any other confessor, approved by the Ordinary of the diocese, although he is not appointed for the house, his confession is valid and licit.

V—An extraordinary confessor should be called in at least four times a year to whom the Brothers must present themselves at least to obtain his blessing.

34. I—All the Brothers are urged to receive the Sacrament of Holy Eucharist devoutly on all Sundays, Feast days of obligation, or those observed by custom, on the First Friday of every month, on the nine Wednesdays preceding the feast of Saint Joseph and on the Feast itself and also on days assigned to the Brothers to gain plenary indulgences. In addition, they should receive Communion twice a week.

II—The assigning of these special days has no other purpose than to give direction to the Brothers and it is not to be understood in the sense that the Brothers are obliged to receive Holy Communion on those days or that they are forbidden to receive on other days. On the contrary, each Brother should strive to receive Holy Communion frequently, even daily. In this matter, the Brothers are not dependent on their Superiors. Each Brother should be careful not to judge rashly those who do not receive often or those who do so frequently.

III—The novices and postulants who are rightly disposed are free to receive the Holy Eucharist frequently, even daily.

IV—Finally, the Superiors must take care that the Sacraments of Penance and Holy Eucharist are administered frequently to the sick Brothers.

Chapter XI

Our Spiritual Exercises in common

35. I—Morning, evening and table prayers follow the form in use in the Congregation.

II—After receiving the habit, all the Brothers should recite daily in the choir the Little Office of the Blessed Virgin Mary in Latin, if there is, in the judgment of the Superior, a sufficient number of Brothers on hand and their occupations permit; otherwise, the Brothers should recite the Office privately. If they are hindered, they may, with the permission of the Superior, recite fifty-four (54) "Our Fathers" together with the prayers prescribed in the rules of the Third Order or say fifteen decades of the Rosary.

III—Further, all Brothers and also the Postulants are to say the beads daily, that is, a third of the whole Rosary, and once a week they are to make the Way of the Cross. Each day all the Brothers are to make an half hour's meditation, assist at the Holy Sacrifice of the Mass, to make the particular and general examination of conscience and to read some spiritual book or hear it read for at least ten minutes.

IV—The Brothers must consider each and all the spiritual exercises as the most important work of the day, excelling all other occupations, and should perform them with the greatest possible fidelity and devotion. Should something prevent the performance of these exercises, whatever has been omitted should be supplied as soon as possible. Even if a Brother is occupied outside the house he should perform accurately and at an opportune time all the above mentioned spiritual exercises. If a Brother cannot perform these exercises on account of sickness or some other serious reason the Superior can dispense him from the prescribed prayers. For those who are detained by their duties at the time of common prayer, the Superior should set aside some opportune time when they can perform their pious duties and prayers especially mental prayer.

36. I—To foster the spiritual progress of the Brothers, the Superiors are bound to arrange for the giving of catechetical instructions or spiritual conferences in every house at least twice a month by a priest of a religious order as far as this is possible. A pious exhortation should be given to all others who live in the house.

37. Every year, the Brothers must make a Retreat in the strict sense of the word: during eight (8) continuous days under the direction of a priest of a religious order if one can be obtained. At the end of the Retreat, the renewal of vows will take place. Moreover, after having spent the previous day in recollection, the Brothers will again renew their vows on the 16th of April as a memorial to our holy Father, Saint Francis, who professed his vows before Pope Innocent III on that day. In danger of death every Brother should renew his vows.

Chapter XII

Penitential Exercises

38. Since the Christian life as such is a life of penance, the life of a religious ought to be so to a more intense degree. However, in the external works of penance, the physical powers of each individual and the kind of work to which the Brothers have dedicated their lives must be taken into consideration.

Article I

Fasting

I—Among the ordinary external works of penance in the Church, fasting has always occupied a high position. In her Liturgy, the Church sings that penance "restrains evil passions, uplifts the heart and yields abundant virtue with its reward."

II—Since the Brothers are burdened with other works, they are to fast, in addition to the days prescribed by the Church, only on all Fridays of the year, except when some solemn feast falls on this day, on the vigil of Saint Francis and on that of the Immaculate Conception of the Blessed Virgin.

III—On fast days, the Brothers are allowed to take some kind of drink in the morning and, on account of the work obligatory for them, a piece of bread weighing about two ounces. The restriction to two meals on days that are not fast days is not obligatory.

39. I—The Superior General or the Provincial and, if he is absent, the Local Superior, has the faculty of dispensing only from those fasts prescribed by the Rule and these Constitutions. In fasts prescribed by the Church, a dispensation can be given by a legitimate ecclesiastical superior or his delegate. In a clear case of sickness or weakness, the judgment of the Superior declaring that the Brother is not bound by laws of fast or abstinence is all that is needed. The Brothers should not ask for ecclesiastical dispensation on their own accord but should first obtain the consent of the Superior.

II—The Brothers should not take any food between meals unless they have received permission on account of some special necessity.

Article II

The Discipline or Scourging

40. I—In order that the Brothers do further penance and works of satisfaction and fit themselves to overcome all inordinate passions and thus become more like their Savior who suffered for us, all those in good health and living in a religious house should scourge themselves once a week on Friday during the recitation of the Psalm "Miserere" or for the space of five "Our Fathers and "Hail Marys". Sick and infirm Brothers may seek a commutation from the Superior. After the scourging, all the Brothers should go to the choir and recite the prescribed prayers with arms extended.

II—Outside of the penances prescribed in the regulations, no Brother should impose any more upon himself without the permission of his confessor, if it is a question of bodily mortifications or penances done in private. For external and public penances, the permission of the Superior is also required.

III—If a Superior has reason to fear that imprudence may accompany such external and public penances, he can oppose and forbid them. Too, if he fears that such is the case with other kinds of penance, he can advise the confessor whose judgment is to be followed.

Article III

The Chapter of Faults

41. One of the greatest means to acquire humility is to love and seek humiliations. To attain this end easily and to preserve discipline better, a "chapter of faults" is to be held each week on a set day. In this chapter, the Superior is to point out the common mistakes if perchance such occured and the Brothers are to individually accuse themselves of external faults which they have committed against the rules or the discipline of the house. Should the Superior deem it advisable, he may accuse them of their faults; in this event, the Brothers should accept a fitting penance from him with humility.

Chapter XIII

Other Means to Preserve Religious Discipline and to Promote Spiritual Life

Article I

Avoiding Idleness

42. I—The Brothers should perform the work assigned to them with all diligence. They should work with fidelity and devotion; with fidelity, in that they work under the direction of holy obedience and in accordance to the will of their Superiors; with devotion, in that they offer their work to God and raise their minds often to Him, being mindful of the saying of the anchorites of old: "Our hands are at work, our hearts are with God."

I—All must observe the order of the day, which should be the same everywhere, except for such minor changes which time and place demand. If a Brother has any leisure time after he has completed the work assigned to him, he should go to the Superior and abide by his decision.

Article II

Silence

43. I—All the masters of the spiritual life appraise silence at such great value that they feel that they can judge from its conscientious observance whether the true religious spirit flourishes in a monastery or not. Therefore, all Brothers must strive to observe silence exactly so that throughout the day they may preserve and grow in inner recollection and in the spirit of prayer.

II—Strict silence is to be observed from night prayers until after the spiritual reading on the next morning. During this time, therefore, there is to be absolutely no talking except when necessity demands and then only in a subdued voice. During the common spiritual exercises, meditation, spiritual reading, instruction, and reading at table, not only is there to be no talking, but even all noise is to be avoided as far as possible.

III—Strict silence, as explained above, is to be observed throughout the day in the Church, the Sacristy, in the Oratory, on the stairways, in the vestibules and corridors of the house and near or around the cells; the Brothers are not to speak in these places except about necessary things and then only briefly and hurriedly.

44. I—While at work, outside time of recreation, the Brothers can ask and answer such things which pertain to their office or work but then only briefly and in a subdued voice since it is not free time for conversation. They should not hurry or run up and down stairs, slam doors, or call loudly to one another; they should avoid all noise and disturbance.

II—The Brothers are allowed to talk during the daily recreation period and also when, by way of exception, silence is dispensed with at table.

Article III

Food and Recreation

45. At the sound of the bell, all the Brothers, attired in a clean habit, are to repair to the refectory in silence and recollection. They should strive, by their good intention and by propriety and temperance, to make those things necessary for corporal nourishment conducive to progress in virtue and never allow such things to injure the religious spirit through sensuality and license. Table prayers are to be said in Latin according to the Roman Breviary. As a rule, there should be reading at meals from an edifying and instructional book.

46. I—Twice a day there should be recreation in common, after the noonday meal and after supper. Regularly of an hour's length, it may be shortened by the Superior on account of the supervision which the Brothers have to exercise over boys or for some other cause. The Superior can lengthen the period of recreation on Sundays and festivals.

II—During the period of recreation, the Brothers should strive to rejoice in the Lord and, according to the admonition of Saint Leonard, they should seek and develop especially the virtues of devotion, justice and moderation: devotion, lest conversing with creatures they should entirely forget God; justice, lest they should fail in fraternal charity by their speech and lead others astray by their conversation; moderation, lest they should indulge in idle chatter and talkativeness and keep on talking after the time of recreation has ended.

Article IV

Fraternal Charity

47. I—Since it is the Lord's teaching that everything else depends on the law of charity, the Brothers should foster and exemplify true and holy charity.

II—They should not judge and misinterpret hastily the words and actions of their Brethren but should speak well of

them as those are wont to do who love one another. Their speech should be becoming and affable. No Brother should address another with harsh or unkind words.

III—In their conversation they should avoid undue familiarity which disturbs charity more than it promotes it. It should be evident from their conversation that the Brothers esteem and revere one another highly and that it is on this solid foundation that their mutual love rests. When one Brother addresses another or speaks of him, he should prefix the title "Brother" to his religious name, as Saint Bonaventure admonishes. Without necessity, no Brother should touch another Brother, not even in fun. However, the usual forms of greetings are not prohibited. The Brothers should avoid particular friendships. Where all things are held in common, charity ought not to be divided—a particular friendship among a few is an offense against all.

48. I—The Brothers should manifest their mutual charity in their deeds, for it is by kind acts that the presence of charity is made manifest and it is deeds that preserve and develop charity. The Brothers should spontaneously perform acts of charity towards one another insofar as holy obedience and the order of the house permit, and in such a way that they anticipate the other's needs and do not wait to be asked. All of the Brothers should be convinced that fraternal charity expressed in kindness and thoughtfulness conduces to making the religious life a paradise on earth; and that on the other hand, there is no one who does more harm to a religious community than he who destroys the unity of the Brethren and disturbs the harmony between Superiors and subjects.

II—If one Brother has offended another, he should immediately ask his pardon which the offended Brother should grant with his whole heart, dismissing all thoughts of revenge. If the offending Brother delays asking pardon, the offended Brother should offer it so that the sun may not set on anger.

49. I—Fraternal charity ought never to hinder fraternal correction; on the contrary, it should rather lead to it. In fact, the

charity that one owes to the whole community can make fraternal correction a duty. Wherefore, if some of the Brothers notice a fault in another Brother, they should not speak of it among themselves but they should advise the guilty Brother either personally or through one of the Superiors. However, the admonition should arise from charity and be given with charity displaying no irritability of temper and avoiding all harsh words of rebuke; it should never be given in the presence of others.

II—If it is a question of a serious fault, especially of such a fault which could seriously injure the community or others, they not only may, but must, report the matter immediately to the Superior without even admonishing the Brother privately.

III—All the Brothers should understand that, according to the seriousness of the case, they may be obliged to make this report under the pain of mortal sin. However, they must avoid exaggerating the fault, never submitting uncertain evidence for certain or suspicions for faults nor should they make the report with an evil intention. The Superior must take care not to reveal in any way the identity of the Brother reporting the offense unless he has freely consented thereto or unless the case evidently demands it.

IV—The Brother who is reprimanded in this way should listen with humility to his Superior and should he be innocent let him hold his peace and not plunge at once into a passionate self-defence. Rather, let him defer it for some time. He must avoid conceiving or showing dislike for the Brother who reported him and, hence, it is out of place for him to try to find out who reported the affair.

Article V

The Enclosure and outside Contacts

50. I—By reason of their leading a religious life, the Brothers are bound to strive after perfection. It is for this purpose that they left the world. Therefore, they should avoid all useless contacts with the world.

II—Every house of the Congregation must observe the rule of enclosure, which forbids the admittance of any person of the opposite sex except those persons described in the Code of Canon Law (Can. 598, 2 and 600) and those whom the Superior judges may be admitted for some just and reasonable cause. The enclosure embraces, in all the houses, the rooms of the Brothers the adjoining corridors, the choir, the refectory and the kitchen. The Superiors are bound to watch diligently that the enclosure is strictly observed. They should be aware of the fact that the Ordinary of the diocese has the right and duty to see to it that the enclosure is observed and to correct any abuse that may have crept in.

III—No Brother is allowed to leave the house or its grounds without permission of the Superior. The main door of the house must always be locked and when the door bell rings, only the porter should go to the door. The Superior must see to it that the religious spirit does not suffer any harm from the visits of outsiders.

IV—The Brothers are not allowed to visit each other's rooms without special permission from the Superior. Only when the rooms of the Brothers are used as living rooms does general permission suffice for visiting them.

51. I—Outside of granting permission to take walks for wholesome recreation, the Superior should never send a Brother on an errand or permit him to leave the house unless some just cause or common good demands it. As a rule, no Brother should go out unless accompanied by a companion. The Superior can dispense from this law only for a serious reason.

II—When the Superior of a house is absent only for a few days, his vicar does not have the faculty of giving permission to any Brother to leave the house except in case of urgent necessity. In that event a report must be given to the Superior upon his return. The Local Superior may send a Brother on an errand for the common good but when his stay will last over eight days or its purpose is to visit relatives, permission must be obtained beforehand from the Superior General. However, if

the matter will not permit of delay, a letter stating the case must be sent to the Superior General; and if this is impossible, the Superior General must be informed of the whole matter as soon as possible.

III—The permission of the Holy See is required for leave of absence that will detain a Brother for more than six months outside of one of the houses of the Congregation, except when the leave of absence is for the purpose of study.

52. If there is a house of the Congregation in the place where the Brothers are visiting, they may not take food or drink outside of it without the expressed permission of the Superior; however the houses of religious are an exception to this rule.

53. I—With the exception of the prescription given in the following paragraph, all letters written by the Brothers or addressed to them are to be sent and received through the hands of the Superior who may open them and read them and withhold them altogether if he deems it advisable. However, the Superior should proceed in this matter with prudent moderation and charity, keeping all secrets. Likewise, the Master of Novices should receive, unsealed, all the letters that the novices and postulants write and he may read them. He may also open and read all letters addressed to the novices and postulants.

II—However, all religious, whether professed, novice or postulant, may freely address letters, exempt from all control, to the Holy See, to the Papal Delegate, to the Cardinal Protector, to their Higher Superior, to the Superior of the house on leave of absence and to the Ordinary of the diocese. Furthermore, the above mentioned religious may receive letters from any of those persons without being subject to inspection by anyone.

54. I—The Brothers staying outside the house are not allowed to write letters except according to the prescriptions of the above No. 53, II. However, if necessity or some other reasonable cause that brooks no delay arises, they may write but they must inform the Superior afterwards.

II—No Brother is ever allowed, without the knowledge and consent of the Superior, to send the messages or letters of any member of the house to outsiders or to receive messages or letters from outsiders for members of the house. If a matter of this kind is entrusted to any Brother, he should inform the Superior of it before it leaves the house unless he has received permission from the Superior beforehand. Likewise, all messages and objects received on the outside are to be given to the Superior upon the Brother's return to the house and to no one else; and in no way is the Brother to be informed for whom the message or the object was intended unless the Superior consents.

Chapter XIV

The Care of Sick Brothers

55. I—In every house of the Congregation, if it is possible, a suitable part of it should be set aside as an infirmary.

II—An infirmarian should also be appointed who is obliged to take care of the sick and infirm Brethren. His duty is to nurse the sick and to keep clean both the infirmary and such rooms wherein the sick are confined. As for the rest, he should accurately observe his own rules and conscientiously fulfill the prescriptions of the physician according to the instructions of the Superior. He must so watch his patient that he will be able to make a reliable report on his condition and, above all, advise the Superior when the illness becomes dangerous.

III—If the infirmarian cannot do all the work, the Superior should appoint one or more Brothers who will nurse the sick under the direction of the infirmarian and who will take care that the sick lack neither spiritual nor corporal comfort.

56. I—The Superior of the house should make a daily visit to any Brother who is seriously sick, solicitously inquire as to his needs, give him christian consolation and, as far as religious poverty and modesty permit, offer him such things that will alleviate and refresh him. He will also find out which confessor the sick Brother desires to have and, according to the instructions of the confessor, see to it that the Sacraments are administered.

II—Brothers who are sick for more than a month and give no positive hope of a speedy recovery may receive, on the prudent advice of the confessor, Holy Communion once or twice a week even after taking medicine or liquid food.

III—The Brothers should also show special love for the sick Brother and, with permission of the Superior, visit him, console him and minister to his needs. They should remember that the purpose of their visit is to edify and encourage their sick confrere.

57. I—As soon as there is danger of death, before everything else, care must be taken that the sick Brother receives the Sacraments and consolations of Holy Mother Church in time so that he may accept sickness and even death from the hand of God with greater solace and resignation to the Divine Will and thus increase his merits in eternity.

II—The graver the danger of death, the greater is the care that must be taken that the sick Brother be not deprived of spiritual consolation or pious exhortation or, at the moment of death, of the services of a priest as described in the Roman Ritual. Care should be taken, too, that he has the consolation of the presence and prayers of his Brethren. Therefore, as many of the Brothers as can possibly do so should assemble and assist the dying Brother in his agony.

Chapter XV

The Care of the Deceased Brothers

58. I—Sincere and fraternal charity which unites the Brethren is stronger than death; hence, it does not cease with death. Therefore, the Brothers should frequently recall to mind their deceased Brethren and offer their good works, prayers and mortifications for them so that they may attain to the beatific vision all the sooner, should they be detained in purgatory.

II—As soon as a Brother dies, all the Brothers of the house where he died will assemble and scourge themselves and recite the Psalm "Miserere" or five "Our Fathers" and "Hail

Marys." Afterwards, they will pray with extended arms according to No. 40, I. The funeral should be simple as befits "The Poor Brothers." A priest, together with the Brothers and boys designated by the Superior, should accompany the body to the grave.

59. I—On the first day after the receipt of the death notice of a Brother, the Psalm "Miserere" will be recited for the repose of his soul before dinner and supper in the refectory and the "De Profundis" and "Requiem aeternam" after the meals in every house of the Congregation. The same prayers are to be said for three days in the house where the Brother died. Likewise, all the Brothers will offer their good works for three days and their next three Holy Communions for the deceased Brother. Furthermore, they will make the "Way of the Cross" once and recite fifteen decades of the Rosary.

II—The Superior General will have a Mass celebrated for each deceased Brother; the Provincial will have five Masses offered for every deceased Brother of his Province; the Local Superior will have three Masses said for every deceased subject; and finally: the other Local Superiors will have one Mass offered for every deceased Brother of the Congregation. The suffrages mentioned in this and the preceding paragraph are to be applied not only for the professed Brothers but also for the novices.

III—When a Superior dies during his term of office, every Brother subject to him will offer for the repose of his soul three times those suffrages prescribed for other deceased Brothers, After the death of a Brother who held the office of Superior General for six years, all the Brethren of the Congregation will offer the suffrages twice.

60. For all the deceased Brothers and Benefactors of the Congregation a Solemn Requiem Mass shall be offered each year on November fifth or, if it is impossible on that day, on the nearest day possible. On the same day the Brothers shall receive Holy Communion for the same intention. Besides this one Holy Mass shall be offered once a month in each house for the deceased Brothers.

Chapter XVI

The Punishments of Delinquents and Dismissal from the Congregation

61. I—Since every religious Congregation is made up of men subject to sin, it is necessary to draw up rules for the punishments of those guilty of a fault or crime.

II—By reason of his office, it is incumbent upon the Superior to use every means within his power to lead the errant and delinquent back to the right way of living. Hence, he should first admonish the delinquent with paternal charity. If his efforts, according to the laws of charity, are fruitless, he must impose punishments according to the rules of justice. Finally, each Brother is bound to accept the punishment and penalties with all humility although they may perchance be imposed for a fault that is not blameworthy or for a deed not committed.

III—The punishments in use in our Congregation and which may be imposed according to the diversity of conditions and of the gravity of the case both for minor defects that are not sins in themselves and for more serious transgressions, are the following:

1. public reprimand by the Superior in the chapter of faults,
2. the taking of dinner and supper kneeling,
3. imposition of a fast on bread and water,
4. denial of permission to leave the house for a specified time,
5. temporary separation from the rest of the Brothers and suspension of recreation,
6. deprivation of an active and passive voice in the election;
7. declaration of ineligibility for office in which power is given over others,
8. dismissal from the Congregation.

62. The first and second classes of punishments may be imposed for every actual violation of religious discipline, especially when it has been committed frequently or when it disturbs the good order of the house, for instance:

1. when a Brother has often violated the rule of silence,
2. when a Brother has spoken to outsiders without permission,
3. when a Brother has gone to the parlor without permission,
4. when a professed Brother has spoken to a novice without permission and vice versa,
5. when a Brother has offended another Brother,
6. when a Brother has murmured against his Superiors and their mandates,
7. when a Brother often comes late to the common exercises,
8. when a Brother has, of his own accord, disposed of anything,
9. when a Brother has, of his own accord accepted things from outsiders or sent them things or caused them to be sent.

63. The third class of punishment may be imposed on that Brother,

1. who was intoxicated, even if only once;
2. who has given scandal by familiarity with another, especially when it was with a pupil or with a person of the opposite sex;
3. who has often taken food or drink outside the house;
4. who has privately taken food or drink at home;
5. who has often violated the fasts prescribed by the Rule and the Constitutions of the Congregation without permission.

64. The fourth class of punishment may be imposed on that Brother,

1. who has left the house and grounds without permission;
2. who, while legitimately excused from the house, visited persons without permission;
3. who gave scandal while outside the house;
4. who, while outside the house, spoke evil of a confrere;
5. who, of his own accord, sent letters outside of those mentioned in No. 53, II;
6. who often misses spiritual exercises without permission.

65. The fifth class of punishment may be imposed on that Brother,

1. who causes discord among the Brethren;
2. who is disobedient in a serious matter;
3. who actively undertakes anything against his Superior;
4. who usurps anything belonging to the Community, such as money;
5. who unlawfully opens the letters of others or maliciously impedes them;
6. who has lied in a serious matter.

66. The sixth class of punishment is incurred, ipso facto after the authentic declaration of the fact by the Superior, by that Brother,

1. who, from the day of the announcement of the General Chapter, has actively striven that a certain Brother be chosen as delegate or as Superior General. By the fact that the Brother has been proven guilty of these efforts, he loses an active and passive voice in this election.

2. Likewise, a Brother is to be deprived of an active and passive voice until restored by the Superior General or the Holy See

   a. who forges a signature;

   b. who, in a serious matter, maliciously accuses or denounces a Brother falsely;

   c. who intentionally suppresses the legitimate mandates of the Ordinary or of the Holy See;

   d who has committed a crime to which the loss of reputation (infamia) is attached by ecclesiastical or civil law.

67. I—The seventh class of punishment is incurred by that Brother,

1. who commits the crimes described in No. 66, II, c and d;
2. who wastes common property;
3. who has sinned against chastity so that it is publicly known, if in some way it be possible to even retain such a Brother in the Congregation.

II—Note—Moreover, in other serious cases the Superior General and his council can divest a Superior of his office even if no crime were committed, as explained in No. 117, I.

68. The most serious punishment of all is dismissal from the Congregation which can take place after the profession of either temporary or perpetual vows. Outside of the cases described in the Code, Canon 646, where the dismissal from the Institution is incurred ipso facto, this punishment cannot be inflicted except when the following norms are strictly adhered to:

69. I—The Superior General with the consent of his council, obtained by a secret vote, may dissmiss a Brother with temporary vows. They must understand, however, that they are obliged in conscience, under pain of mortal sin, not to dismiss a Brother, bound by temporary vows, unless the following prescriptions are observed:

1. The reasons for dismissal must be serious. There may be reasons on part of the Brother himself. The lack of religious spirit which is a cause of scandal to others is sufficient cause for dismissal provided that repeated admonitions with salutary penances were without effect. (Canon 647, II, No. 1 - 2) Weak health, however, is no reason for dismissal unless it is certain that this state of health was fraudulently concealed or disguised before profession.

2. Although the reasons for the dismissal must be known with certainty by the dismissing Superior, he is not bound to prove them by formal trial. However, they must always be made known to the Brother and he must be given an opportunity to answer the charges. His replies must be submitted in all honesty to the Superior dismissing him.

3. The Brother being dismissed has the right of taking action against the decree of dismissal by recurring to the Holy See; and while his recourse is pending, provided it was made within ten days from the day on which he was notified of his dismissal, the dismissal has no juridical effect.

II—A Brother dismissed according to the rule embodied in No. 69, I, is by that very fact absolved from all his religious vows.

70. I—In order that a professed Brother be dismissed and absolved from his perpetual vows, it is necessary that he has committed three transgressions and has been admonished twice without resulting in amendment. This is in accordance with the Code of Canon Law (Canons 656 - 662)

II—When the facts of the case are established, the Superior General, together with his council, after having weighed all the relevant facts, should deliberate whether dismissal is in order

or not. If the majority of votes are in favor of dismissal, the Superior General himself should carry out the decree of dismissal. In order that the decree have juridical effect, it ought to be confirmed by the Apostolic See. The Brother being dismissed has the right to freely express himself and to defend his rights—his responses are to be faithfully recorded in the acts of the case.

71. III—In the case of serious public scandal or of very serious harm arising to the Community, a Brother can be deprived of his habit and dismissed immediately by the Superior General with the consent of his council or also, if there is danger in delay and if there is no time to refer the matter to the Superior General, by the Local Superior with the consent of his council and of the Ordinary of the diocese. However, the case must be referred to the Holy See without delay either by the Ordinary himself or by the Superior General.

PART TWO

The Government and Structure of the Institute

Chapter I

Relations with the Ordinary of the Place and of the Supreme Authority in the Institute

72. I—The Brothers cannot establish a house in a diocese without the permission of the Ordinary of the diocese except in those countries which are subject to the Propaganda and in which the beneplacitum of the Holy See is always required for the erection of any religious house. The permission to erect a church or public oratory must be obtained from the Ordinary. He has, likewise, the right to regulate the sacred functions performed there and to assign confessors, chaplains and preachers for the Brothers.

II—In addition, the Ordinary has the right to visit the houses of our Congregation in his diocese and to inquire about not only those things which pertain to the church, sacrarium, public oratory and confessional but also those which pertain to internal discipline. This is in keeping with the Code, Canon 618, II. 2.

73. I—When the Brothers undertake any diocesan work, the supreme authority lies with the bishop, even the administration of temporal goods. And even in those institutes which are erected for the education of youth or for some similar purpose, those things relating to religious instruction and education or which pertain to ecclesiastical jurisdiction are under the authority of the Ordinary. However, they are immediately governed by a rector appointed or confirmed by him.

II—If legacies have been left to a certain house for the purpose of divine worship or for works of charity to be carried on in that place, they are administered by the moderator of the house but he is bound to obtain the previous consent of the Ordinary when there is question of investing money. He is to refer all to him and hold himself subject to his authority; indeed,

it is not lawful for him to conceal any of those things from the Ordinary or to put them to any other use. Let the Brothers know that the Ordinary has the right to inquire into the accounts of such things which have been received or expended lest the capital or investments be reduced or changed or the interest (profits) be expended foolishly.

74. However, in all other things pertaining to the Congregation, the supreme authority ordinarily resides in the Superior General and his council, extraordinarily in the General Chapter whose decrees are binding upon the General himself; nor can he dispense from them except in individual cases when necessity requires.

Chapter II

The General Chapter

Article I

Convoking the General Chapter

75. I—Ordinarily, the General Chapter convenes every six years for the election of the Superior General—these six years are computed from the last election of the General; extraordinarily, if, before the end of six years, the office becomes vacant either by death or some other reason.

II—In addition to the elections, the General Chapter, whether ordinary or extraordinary, may investigate and treat of any serious matter which affects the whole Congregation.

III—In order, however, that the Chapter be convened to treat only of business matters, the permission of the Sacred Congregation for the affairs of the Religious is needed; if some necessity arises, the Superior General or, if the office is vacant, the Vicar General with the consent of the general council will ask this permission.

76. I—The General Chapter is to be called and the definite date announced by the Superior General or, if the office is vacant, by the Vicar General, by means of circular letters sent

to each house of the Congregation. This convocation ought to be made three months before the Chapter is to convene. The Superior General or, if the office is vacant, the Vicar General, with the consent of his council, will designate the place for the meeting.

II—For four weeks previous to the Chapter, the Veni Creator will be recited publicly in all the houses.

Article II

Those who have a Voice in the Chapter

77. I—The following have the right to be present at the Chapter:

1. The Superior General actually in office;
2. the Councillors of the Superior General who are actually in office;
3. the Procurator General to the Holy See, the Secretary General and Procurator (economus) General;
4. Those who once held the office of Superior General;
5. Superiors of houses in which there are at least twelve Brothers;
6. single delegates chosen from each of these houses by the Brothers; two delegates to be chosen from the smaller houses as we shall explain presently.

II—Those houses which have not twelve resident Brothers are to be combined in such a way as to form a college of at least twelve electors. Firstly, then, those who have an active voice are to elect one of the Superiors of the houses which have been joined and he is to go to the Chapter; the second delegate will be chosen from among those who have a passive voice. But if it would be exceedingly difficult to effect such a combination of houses, the Brothers of the smaller houses who have a voice' the Superior General and his council so ordering, will join themselves to the closest major house and together with the electors of

that house, enjoying equal rights both active and passive, they will take part in the election of the delegate. If either the joining of the houses or the trip to the major house could not be made conveniently, the Superior General and his council can give leave to the Brothers of the smaller houses who have a voice to vote for the delegate in writing.

III—But of those Brothers who do not live in Europe and who are joined in one certain mission or quasi-province, only the following have a right to attend the Chapter:

1. the first or principal Superior;
2. if the number of Brothers having active voice does not exceed one-hundred, they are to elect only one delegate by written votes sent in to the Superior General and which are to be opened before the General Council;
3. and for each additional hundred, or part thereof, another delegate chosen in the same manner is to be added.

78. All those who have professed perpetual vows have an active voice and may vote in the elections; likewise, only those in perpetual vows have a passive voice, i. e., they may be voted upon. All the voting is done by secret ballot.

79. I—An absolute majority is required and suffices for the validity of the election. However, when the votes are sent in writing, a relative majority suffices. Likewise, in every election of delegates, if, in the third voting no one receives a relative majority of votes but all have the same number, he who has been in perpetual vows the longest or, if they were professed on the same day, the senior in age is elected.

II—A substitute is elected for each delegate in the same way. He will go to the Chapter if the delegate himself is prevented from going.

80. I—All who by reason of election or of title have the right to attend the Chapter are bound by holy obedience to assist

unless they are absolutely prevented from doing so; all have a deliberate vote both in the elections and in the other matters treated in the Chapter.

II—That the Chapter be able to act legally, it is required that at least two thirds of those having active vote be actually present.

Article III

Those who preside over the Elections in the Chapter

81. I—The Superior General actually in office or, if the office is vacant, the Vicar General, presides at the elections in the General Chapter.

II—The two oldest professed Brothers who have a voice will take their place at the right and left of the Superior General and will help him in the election of two tellers. These tellers shall be elected by two separate ballots from among the Brothers present who have a voice—a relative plurality of votes suffices for election. They will then immediately take the place of the two oldest Brothers at the right and left of the presiding officer before whom they are to swear fidelity in the performance of their office and strict secrecy concerning the affairs of the election assemblies even after the elections are over.

III—The tellers will see to it that the voting is conducted secretly, seriously, one by one and that the due order of precedence is observed by the electors. Having collected all the votes, they will investigate before the president and see whether the number of votes corresponds to the number of electors. Then the votes will be examined and they shall announce publicly how many each one received. If the number of votes exceeds the number of electors, the election is invalid. As soon as the session is over the votes are to be burned.

The tellers having been elected, they will proceed immediately to the election by two distinct ballots of the secretary and under-secretary of the Chapter. These, likewise, shall be chosen from among those present who have a voice—a relative plurality of votes suffices for the election. All the acts of the election and

also the other affairs treated in the Chapter are to be carefully and accurately recorded by the secretary and, having been signed by the president, the tellers and secretary, they are to be carefully preserved in the archives of the Congregation.

82. I—All the voting must be done by secret ballot. Therefore, the Brother voting should write only the name of the one he chooses on the ballot; without signing his own name, he shall then fold the ballot and drop it folded into the urn.

II—An absent Brother may not send his vote. If however, one of the Brothers is sick and is confined in the house where the Chapter is being held and can give his vote in writing, the two tellers will go to his cell whenever a vote is taken and receive his ballot in a closed urn—it will then be added to the others.

Article IV

The Election of the Superior General

83. I—Before they proceed to the election of the Superior General, each and every one of the Brothers of the Council must take an oath to vote only for the one for whom before God he believes he should vote.

II—All should guard against procuring votes, directly or indirectly, for themselves or for others.

84. I—Those are ineligible for the office of Moderator General who have not been professed members of our Congregation for at least ten years, the years to be counted from the first profession; who were not born of legitimate wedlock; and who have not completed their fortieth year. Besides, it is necessary that the Superior General be able ordinarily to be present at the common exercises.

II—The Superior General is elected for six years; his term having expired, he may be reelected, but not immediately for a third term.

85. An absolute majority is per se required for the election of the Superior General. But if this absolute majority is not

obtained on the first, second or third ballot, they shall proceed to a fourth in which only those two Brothers shall have a passive voice who received a relative majority in the third voting. And if in this fourth vote they receive an equal number of votes, the one who made his perpetual profession first shall be elected; if, however, they were professed on the same day, the senior in age shall be chosen.

86. I—The election having taken place, the results will be announced immediately by the president of the Chapter, that is, the Superior General or, if he has been reelected, by the senior of the councillors; if, however, he (the senior councillor) is presiding over the Chapter as Vicar General and is himself elected to the office of Moderator General, the election will be announced by the second councillor.

II—If the one who has been chosen Superior General is present, all the Brothers will pay their respects to him; he will then immediately take over the presidency of the Chapter and proceed to the rest of the elections or to the other matters to be treated by the Chapter. But if the Superior General elect is absent, he will be notified immediately; meanwhile, the Chapter will remain suspended until he arrives.

Article V

The Election of the other General Officers

87. I—After the Superior General has been elected, the four Councillors, the Procurator General to the Holy See, the Secretary and the Procurator (economus) General are chosen by distinct and separate ballots. Those are eligible for these offices who have made perpetual profession and who have completed their thirtieth year of age. However, by reason of the purpose of the Congregation and its main work, care should be taken that at least one of the councillors elected be especially capable and well versed in those things pertaining to the education of youth. The councillors and general officers are elected for the same length of time as the General and hold office until the following Chapter. They can always be reelected.

II—The method of the election is the same as above but with this difference: if no one has an absolute majority of votes after third vote has been taken, he who received a relative plurality in this third voting shall be declared elected by the president. If, however, several received the same number of votes, he is elected who made his profession first or, if they were professed on the same day, the senior in age.

88. I—The election of the Procurator General to the Holy See, the Secretary and Economus Generalis is conducted in the same way. The Secretary may be elected from among the councillors provided he is not the first councillor for this one must supply for the Superior when the latter is hindered from fulfilling his office or dies.

II—The elections having taken place and been duly announced, the Chapter will pass over to the consideration of other matters.

Article VI

Matters which are to be treated in the Chapter

89. I—Only the more important matters which pertain to the whole Congregation are to be treated in the General Chapter; especially those which have no force except with the permission or approbation of the Holy See. An absolute plurality of votes decides the matter.

II—All those who legitimately took part in the elections have not only a consultative but a decisive vote, even the newly elected Councillors, Secretary and Economus. If one or several of them were elected from among the absent Brothers, they will be notified but the business to be transacted will not be deferred except, as has been said, to await the arrival of the absent Superior General.

III—Care should be taken not to prolong the discussions that the Chapter may be quickly brought to a close.

90. The Chapter cannot make any changes in the Constitutions which have been approved by the Holy See without the

approbation of the Holy See. But, safeguarding the Constitutions, laws and precepts may be passed which retain their force until the next Chapter.

Chapter III

The Superior General and his Power

91. I—It is the duty of the Superior General to see to it that the Constitutions are faithfully observed by all the members of the Congregation—his own life should be a shining example. And although he has been placed above others, let him think himself the least of all, embracing all with paternal charity.

II—The common good of the Congregation and its spiritual advancement should have first place in his heart. Wherefore he should strive to excel in the spirit of prayer; he should be on fire with the zeal for the spread of God's glory; and he should undertake those works which will procure the salvation of his neighbor in so far as the end of the Congregation as expressed in the Constitutions permit him to do so.

III—He should strive, therefore, to have an intimate knowledge of outside conditions, of the houses and, in so far as is licit, of each of the Brothers that he might be able to place him where he can work for his own perfection and for the common good of the Congregation. Let him not follow human prudence alone in this matter but act according to the principles of faith.

92. I—He should take care that at determined intervals the Local Superiors send him reports and information about each Brother. Let him often reflect on the state of the whole Congregation and of each individual and seek means whereby it might advance in the acquiring and practice of virtue and thus bring forth more fruit in its undertakings.

II—Let him take human frailty into account and tolerate it with patience but in this he should be extremely careful lest he permit fervor to wane by excessive indulgence and lest he permit others to be imprudently over-zealous and, broken under a burden beyond their capacities, to succumb before their time.

III—He should embrace all with equal charity, never showing more love for one than for another. He should attend to the needs of each one and lovingly listen to their requests. However, while striving to remedy their complaints, he should be on his guard lest he indulge to excess the desires of his subjects which may arise from a lack of abnegation or those requests which, if granted, would be apt to weaken the authority of the immediate Superiors. It is also his duty to watch over the immediate Superiors and see to it that they are solicitous in the performance of their duties; but he should not too easily presume to do those things himself which pertain especially to their office.

93. I—When he acts ad extra in the name of the Congregation, let him take care to conduct himself worthily so as to gain the good will of the outsiders and preserve the good reputation of the Institute.

II—In undertaking any new works, whether institutes or houses, he ought to be careful lest he be either too timorous and solicitous that nothing be wanting and refuse those works which, in keeping with the end and purpose of the Congregation, would procure the greater honor and glory of God; or, on the other hand, lest he overburden the Brothers with so many outside activities that their strength would fail or (what is even worse) the pursuit of personal perfection would be neglected. For the taking over of new institutes or the erection of new houses in mission territories, the permission of the Congregation for the Propagation of the Faith is required.

III—The Superior General will reside in the house most conveniently located for the government of the whole Congregation; this is called the General Motherhouse; nor can it be changed without the approbation of the Holy See.

IV—Every five years the Superior General must send in a report to the Sacred Congregation for Religious concerning the state of discipline, the material and economic condition and the personnel of the whole institute. This report which is prescribed by the Church must be signed by the General and his council.

94. That the Rule and Constitutions be better observed, the Superior General, always in company with one Brother, will make a yearly visitation of each house of the Congregation, remaining for some time in each one. The Congregation, however, spreading, it will suffice to make the visitations every three years as is now done in America. If he is hindered from doing so, he may, at his own discretion, choose any Brother who has perpetual vows to visit certain houses or provinces in his stead. But if he wishes to substitute some one for himself to make the visitation of the whole Congregation, he should depute one of his councillors or, if he prefers some one else, let him choose the substitute with the consent of his council—a plurality of vote is needed.

95. I—During the visitation the Brothers, beginning with the junior, will approach the Superior General and, seeking his counsel, confide to him their difficulties and even complaints if they have any. For the rest, the Superior General will abstain from inquiring into the consciences of his subjects; this prohibition ought also to be strictly observed by the Local Superior and Master of Novices.

II—The Brothers should know that, when asked about the state of the Congregation, either about the house or other pertinent matters, they are obliged to reply with truth and sincerity; and moreover, even though not asked, they are bound before God if they know anything by which the Congregation, its good name or work might suffer or be brought into difficulty or discredit, to reveal those things to the General. It may also happen that a Brother knows of some grave defects (of serious moment) in the house or other things which the Superior should know. He can and ought to reveal them to his immediate Superior as has been said in No. 49, II.

96. The Superior General cannot at the same time be a Superior in a special house nor can he arbitrarily substitute the Vicar General in his place and delegate his power to him since the Constitutions designate the first councillor as his substitute. However, in individual cases, he can arbitrarily communicate his

authority to others—excepting those cases expressly restricted by the Constitutions. Likewise, he is empowered to dispense from some prescription of the Constitutions in individual cases but not, however, for the whole Congregation in general. Nor can he deprive any one of an active or passive voice at will but only in those cases provided for in the Constitutions.

97. If, before the completion of his term, a Superior General wishes to retire from office, he must state his reasons to the Sacred Congregation for Religious and abide by its decision. But if it should happen that he is incompetent or, which God forbid, guilty of some grave crime for which he should be deposed, the general council will refer the matter to the Sacred Congregation without delay and obey its mandate.

Chapter IV

The General Council

98. I—The general council is made up of the Superior General and four Brothers elected by the General Chapter.

II—In addition, the Constitutions provide for certain cases in which other Brothers are to be called in to council—for example, the Master of Novices when there is a question of novices or the Procurator (economus) General when the administration of goods is being discussed. Even in other cases not expressed, the General is permitted to call other Brothers in to council—e. g., those skilled in the arts or trades. However, the councillors alone have a deliberative vote; the others, a consultative only.

III—If one of the councillors is prevented from attending, it is not necessary to call in a substitute when it is a question of business matters; but for elections, the Superior of the principal local house is to be substituted for one hindered councillor. If a second substitute is required, any Brother in perpetual vows may be chosen by the general council.

99. In transactions in which the council has a deliberative vote, a plurality of votes decides; in case the votes are equal, the

Superior General decides. The general council enjoys a deliberative vote in the following cases in particular:

1. If there is a question of houses or institutes to be taken over or erected, transferred or dissolved. In addition, for the taking over and suppression of houses, the consent of the bishop of the diocese is needed and in territories subject to the Sacred Congregation for the Propagation of the Faith the permission of the Holy See is required. Likewise, the permission of the Sacred Congregation for Religious is necessary for the erection or transferring of a novitiate and for the transferring of the principal house of the Institute.

2. For the erection of a province. (The beneplacitum of the Sacred Congregation is also required.)

3. For the admission of novices to the first profession.

4. If there is a question of nominating Provincial Superiors, Local Superiors, Masters of Novices and Provincial Councillors; likewise, when for grave reasons, there is a question of deposing a Superior from office before the end of his term or of transferring him to another post. If the case is so urgent that the council cannot be convened, the Superior General (or his Vicar) can suspend a Superior from his office for the time being and put another in his place until such time as the council can decide the case.

5. For the replacement of a councillor, the Procurator to the Holy See, the Secretary or Economus Generalis, if one of them dies or proves incompetent, or if one of them has been deposed for some grave and necessary reason; likewise in designating a visitor general in place of the Superior General when the substitute is not to be chosen from among the councillors.

6. When there is a question of dismissing a professed in temporary or perpetual vows.

7. In determining the place where the General Chapter is to be held.

8. In drawing up contracts of a very serious nature, the contracting of debts, the placing of mortgages or the alienation of immovable goods or valuable furnishings; as often as it is a question of an amount which exceeds 5,000 libella, faithfully observing the prescriptions of the following No. 100.

100. I—If it is a question of alienating valuable property or any other goods whose value exceeds thirty thousand francs or libella or of contracting debts or obligations beyond that sum, the contracts have no force unless permission has been received beforehand from the Holy See. Otherwise, the written approbation of the Superior General and the consent of his council manifested by secret vote is required and suffices.

II—If however, always excepting valuables (rebus pretiosis), the value or sum (of which it is question in part I) is less than 5,000 libella, the permission of the Moderator General himself suffices or, in the province, the consent of the Provincial Superior with his council. The Provincial himself is empowered to give permission for the expenditure of a sum up to two thousand libella.

III—In making a request for leave to contract debts or obligations, the actual indebtedness of the moral person, the Congregation, province or house, must be stated; otherwise, the favor obtained is invalid.

101. The general council ought to meet regularly once a month and also as often as matters arise which demand the concerted action of the council. Generally, therefore, the councillors should reside in the same house as the General; nor is it lawful to transfer any one of them out of Europe. However, in case of necessity, two of the councillors at most may hold office in other houses (of which they are not held to give an account to the

council) but in such a way that they may be easily summoned to council.

102. I—The councillors are bound to the strictest secrecy about those things which have been confided to them either in council or outside. If they violate this prescription, let them be seriously admonished; and if they offend again and again, let them be punished in accordance with the seriousness of the fault which is to be determined by the circumstances of things and persons.

II—In the consultations, let them listen attentively and quietly to those things which are proposed by the General and reflect thoughtfully and fully before God; afterwards, let them say freely and openly what they think, modestly, however, lest they should seem to wish to impose their own opinion. The deliberations and acts of the council are to be recorded by the Secretary General who, however, has no voice in the Chapter unless he is one of the councillors. Promptly compliant to the mandate and will of the General, the councillors should try to aid him in every way and lighten his burden. Let them observe the Constitutions faithfully and so inspire the Brothers by their example that the authority of the General might be strengthened and more firmly established. And, as is becoming, the rest of the Brothers should respect and honor them.

III—What has been said about the General Council must be observed also by the Councillors of a Provincial or Local Superior.

Chapter V

The Procurator General to the Holy See and the Secretary General

103. I—It is the office of the Procurator General to transact all the business of the Congregation with the Holy See. He is elected in the General Chapter by all those who have a voice and at the same time as the Superior General. He cannot be removed from office before the expiration of his term without first consulting the Holy See. But if he retires before the end of

his term, the General and his council will put someone in his place who will fill the office until the next General Chapter.

II—It is the special duty of the Secretary General to care for and keep in a secure place all the documents and papers pertaining to the Congregation, its administration, its development, history, et cetera. Then too, he is to write letters ex mandato and in the name of the Superior General and also to draw up documents and acts as occasion demands.

Chapter VI

The Procurator (Economus) General and the Administration of Goods

104. I—The goods of the Congregation are under the dominion of either the individual houses or each particular province or the Congregation as such.

II—The goods which are under the dominion of the Congregation as such, whether movable or immovable, are administered by the economus generalis who can be the procurator of the principal house, answerable, however, to the General and his council.

III—Since he is under obligation to execute their mandates and is held to render them an account of his administration, he can not be one of their number (a member of the council); but, however, he has the right to be present at the sessions when there is a question of the administration of goods—his vote is only consultative.

105. I—There ought to be a safe or repository in the residence of the Superior General which is secured by three different keys, of which one is held by the General, one by the first councillor and the third by the economus.

II—In this safe are to be kept titles of property, notes and bonds which are negotiable and which bear interest; in addition, currency (pecuniae numeratae—ready money) which is not needed for the ordinary and daily expenses.

III—As often as the safe is to be opened or closed, those three to whom the keys have been given must be present; nor is it permitted for one of the three to give the use of his key to another keyholder. However, if necessity requires, he may choose some other trustworthy Brother, preferably one of the councillors, upon whom he can rely to return his key promptly.

106. I—The economus ought to keep an accurate record of all the expenses and receipts which affect the condition of the treasury. He must render an account to the General and his council every six months, showing them his account books. These are to be examined by the General and his councillors and if, after comparing them with those in the safe, they are found to be correct the General and his councillors will affix their approving signatures.

II—The common goods of the provinces, if there are any, and of the individual houses are to be secured and administered in the same way.

III—The Local Superiors and their councillors may demand an account and examine the books every month; these, in turn, must send in a report to the Provincial (or where there are no provinces, to the General) every six months. The Provincial (superior provincialis) should demand an accounting of the administration of the goods of the province every six months, as indicated regarding the General. In addition, the Provincial must keep the General informed as to the economic situation both of the province and of the individual houses of the province.

107. At the end of his term, the Superior General must give an account of the administration of the common goods during his incumbency and also a report on the economic status of the whole Congregation. The economus generalis will draw up the reports and the councillors will examine them before the Chapter. Several Brothers will be chosen from the Chapter by a relative vote—not, however, from among those who were members of the general council immediately before the Chapter. Those chosen will examine the books and accounts and afterwards make a report of their investigation to the Chapter.

108. If the annual account of the expenses and receipts of the individual houses shows a surplus, one third of the surplus is to be sent in to the provincial treasury; and one third of the surplus receipts of the province is to be put into the common treasury of the whole Congregation. Should necessity arise, the General with his council has, in addition, the right to tax each house for a certain amount in proportion to its means, even up to one tenth of its annual income, in order to relieve some common needs or the particular needs of some house, as has been said in No. 20, II.

Chapter VII

The Master of Novices

109. I—The Master of Novices is designated by the Superior General and his council for a period of three years. His term having expired, he may be chosen for a second time and even more often for the same office. It is required that he be at least 35 years of age, professed at least 10 years, counting from the first profession, and conspicuous for his prudence, charity, piety and observance of the religious life. If he is not a member of the general council, he is to be called in when there is a question of novices or of the novitiate. However, his vote is not deliberative, but only consultative.

II—The Master is subject to the Local Superior. He (the Local Superior) can require the novices to do certain kinds of work and, in case of urgent necessity, he can do so even when the novices ought to be engaged in other works according to the instructions of the General. However, the Local Superior cannot impose any tasks on the novices directly but he must go to the Novice Master who will distribute the required work among the novices at his own discretion and in such a way that they interfere as little as possible with the purpose of the novitiate.

110. I—In addition to the instructions which the spiritual director will give to the novices as often as possible in the course of the week, the Novice Master himself should instruct them for three half-hour periods each week.

II—The instructions should be such as to give them a knowledge of the religious life and the nature and obligations of the holy vows and to thoroughly acquaint them with the Constitutions of the Congregation. In addition, they should be introduced to the lives of the great saints of the Seraphic Order; they should be taught to meditate daily, to say the little office of the Blessed Virgin Mary, to visit the Blessed Sacrament and, finally, to pursue their spiritual reading intelligently and usefully.

III—According to the admonition of our Holy Father Saint Francis, they should foster great devotion and reverence toward the Blessed Sacrament and also for the priests who consecrate and give it to the faithful.

111. The Master of Novices ought to watch zealously over those who have been entrusted to his care; but let him be prudent and circumspect lest he extinguish their freedom of spirit. He should observe closely the talents, dispositions and inclinations of each one so that he may be more apt to deal with each one according to his particular needs, differently with different individuals. Let him admonish those in whom he discovers some faults with charity and gravity and let him urge and help them to correct their faults. He should diligently promote acts and works of virtue but especially those which are in keeping with the condition of the novices; but, before all, let him fire them with a great desire for perfection, teaching them more by example than by word. In all things, prudence and discretion should be practiced. Care should be taken that all those in the novitiate observe the rules of decency, courtesy and modesty.

The Master must send in a monthly report about each novice to the General Superior; in the provinces, to the Provincial.

112. I—Since the novitiate has been instituted for the formation of the souls of the novices, it is absolutely forbidden to employ them in any way in the works of our Congregation during the first year of their novitiate. During the second year, however, it will be permitted, whether in the novitiate itself or in some other house of the Congregation, but prudently and

moderately and only for the instruction of the novices. While engaged in these occupations, let them be put under the direction and vigilance of a serious religious who should teach them by word and excel by example.

II—Whether they remain in the novitiate or outside, the novices will refrain from doing any external work for two months before profession. If they have been outside, they should be recalled in order to prepare themselves for two entire months for their profession, well formed in the true spirit of their vocation.

113. I—If the number of novices or some other just cause should make it expedient, the Superior General, having sought the advice of his council, will appoint an Assistant-Master or Socius who will be subject to the Master in all things relative to the government of the novitiate. The Assistant must be at least 30 years of age, professed at least five years, counting from his first profession, and endowed with the other necessary and suitable qualities.

II—Both the Master and his Socious should be freed from all duties and offices which would interfere with the care and direction of the novices.

III—If the junior Brothers continue to live in the novitiate for the first three years of their profession, they will remain under the direction of the Novice Master or some Brother deputed by him. If, however, they are sent elsewhere, they will be put under the guidance of one of the older Brothers living in that house.

Chapter VIII

The Provinces and the Provincial Superior

114. I—When the Congregation grows to such an extent and spreads out so widely that it becomes impossibe for one Superior General to govern and care for all the houses properly, it is expedient to divide the Congregation into provinces. And if a greater increase should demand, let the provinces be subdivided into several or let new ones be established.

II—The consensus of the general council and that of the General Chapter is required to determine or fix this division or institution of new provinces. Afterwards, it is to be referred to the Holy See which alone has the authority to divide a religious pontifical institute into provinces, to merge provinces or otherwise circumscribe them, to establish new ones or to suppress those already established.

115. I—The Provincial is appointed by the Moderator General with the consent of his council for a term of three years; his term having expired, he may be reappointed for another three years.

II—Those are unqualified for the office of Provincial who have not been professed at least ten years, counting from the first profession, those not born of legitimate wedlock and those who have not completed the thirtieth year.

III—The General with the consent of his council will appoint four Brothers who are to act as councillors to the Provincial. These must be in perpetual vows and at least thirty years of age. They are appointed for a period of three years, like the Provincial himself, and may always be reelected.

IV—In so far as it is possible, each province ought to have its own novitiate for the erection of which the permission of the Holy See is required as has been said in No. 11, I. In those provinces, therefore, which have novitiates, the reception of postulants and novices and the promotion to temporary or perpetual vows pertains to the Provincial Superior and his council, as has been said in No. 7, I; 8, II and 14; but even then the matter must always be referred to the Superior General and his consent awaited unless he has already given it for certain cases. Nevertheless, it must be noted that for the admission of those who cannot be admitted into the Congregation because of one of the impediments of which mention was made in No. 5, the consent of the general council is always required—everything else being duly observed.

116. I—As soon as at least four provinces shall be established, the Local Superiors of the larger houses and their delegates will no longer have the right to attend the General Chapter; but, in their place, the Provincials actually in office and two delegates from each province will go to the Chapter.

II—These delegates are to be chosen by the Provincial Chapter. This Provincial Chapter which is to meet only on the occasion of and shortly before the convening of the Gene al Chapter will be made up of the Provincial Superior actually in office, the Provincial Councillors, the Local Superiors and delegates from the combined houses of that province—in keeping with the prescription of No. 77, II—III. In addition, the same Chapter will elect two alternates who will attend the General Chapter in case the delegates elected are prevented from going.

Chapter IX

The Local Superior

117. I—The Local Superior is chosen by the Superior General (in the provinces by the Provincial) from among those who have made perpetual vows and is appointed for a three-year term. The respective councillors are to be called in and have a deliberative vote in the nominations. A Local Superior cannot be deposed or transferred except for a grave cause or without the consent of the general council.

II—His term of office having expired, the Local Superior can be reappointed for another term by the Superior General and his council but only for a very grave reason. However, he cannot be appointed immediately for a third term in the same house.

III—The Brothers ought to consider the Local Superior as holding the place of God and they are bound to obey him. Even the members of the general council living in one house are subject to the Local Superior in domestic affairs. However, they are not bound to attend his instructions or to be present at the chapter of faults.

118. I—The Local Superior will have two councillors appointed by the General or, in the provinces, by the Provincials; the first of these will act in the place of the Superior when he is absent or hindered. The Superior will transact all important business with his council, nor should he act in opposition to their unanimous opinion unless, having referred the matter to the General (or Provincial), the latter should consent; but if he should act contrary to the decision of the General (or Provincial), the councillors have the right to refer the matter to the higher Superior; meanwhile, however, they should not cease to pay their Superior that reverence and obedience which is his due.

II—The Superior and his councillors will go over and discuss the affairs of the house at least once a month and examine and sign the expense and receipt accounts as has been indicated in Part two, Chapter VI for the economus. The members of the council, on the one hand, should express themselves freely on the matters under consideration, knowing that they do wrong if they hesitate to offer their opinions out of human respect; on the other hand, however, they should always show due reverence to the Superior, realizing that they have been appointed as councillors and helpers and are not as inspectors and are therefore bound to assist faithfully and sincerely in the good government of the house.

119. I—The Local Superior may not incur expenses over 50 marks without the consent of his council, unless it is for food or daily necessities. When there is a question of expending a sum exceeding 400 marks, the consent of the major Superior, the General or Provincial, and the respective council is required, in accordance with No. 100, II, unless the amount is for ordinary maintenance (food etc.) or for other manifest needs of the house.

II—The Local Superiors must send in a financial statement or report to the major Superior every six months.

120. I—It is the office of the Local Superior to distribute the work and order the affairs of the house and, if need arise, he may dispense an individual from certain exercises of the daily schedule. Regarding his faculties for granting permissions or dis-

pensing in individual cases from the Rule and Constitutions, he has only those which were given him by the Superior General.

II—If some special office in the house should become vacant, the Local Superior has the right to fill the office, either by himself or by the appointment of some other. He should have a special care for the novices if by chance there are some living in the house during the second year of their novitiate.

121. I—As for the rest, he should have the spiritual advancement of his subjects at heart, both pupils and Brothers and all those entrusted to his care. In addition, he should possess those qualities and virtues which are required in the Superior General for the good of the Congregation. Let him be an example for all in striving after perfection and when there is a question of admonishing or correcting the errant, let him do so with paternal charity.

II—He will likewise provide with fatherly solicitude for the corporal needs of the community. Let him take care that there is enough well-prepared food and that clothing is given to each according to their various needs and suitable for the season of the year. He should have a special concern for the sick, not only Brothers but also pupils and any others entrusted to his care. Nor should he be solicitous that the infirmarian be efficient in all his duties but more especially let him care for the spiritual welfare of the sick. And finally, if the house possesses woodlands, gardens, fields, he is not permitted to make any important changes without the consent of the higher Superior.

Chapter X

The Sacristan

122. I—The sacristan should perform his duties of caring for the house of God with great zeal and respect, realizing that the more holy the office, the more zeal and reverence he should display in fulfilling his obligations. He should have a great devotion for the Blessed Sacrament and never let him omit any of the genuflections due to the Divine Presence. Let him be neat

and clean in all things pertaining to the church but especially so in regard to the vestments and other things used in the Sacrifice of the Mass and other liturgical functions.

II—He should cover the altars at the end of the services and guard carefully the keys of the tabernacle. However, he must never lock or unlock the tabernacle; that is to be left to the priest. It is the sacristan's duty to keep the sanctuary lamp burning continually and to see to it that there is always holy water in the proper places. It is likewise his duty to ring the bells on time and to collect the money from the offering boxes and bring it to the Superior.

III—If a person of the other sex should wish to speak to him in the church, let him reply briefly and quietly, eyes modestly lowered.

123. It is also incumbent upon him to see that the sacred vestments are properly kept and cared for. Let him learn which vestments are to be used at the different functions and see to it that everything needed for the Holy Sacrifice and other liturgical functions or public devotions is prepared properly and on time. If anything is needed, he should notify the Superior in good time. As for the rest, he should submit to the rector of the church or to the celebrant (officiating priest) in all those things pertaining to the sacred functions.

Chapter XI

The Porter

124. I—The one fulfilling the office of porter should be endowed with the qualities of religious gravity, courtesy, kindness, modesty and ingenuity. Let him guard against familiarity with strangers and refrain from curious and unbecoming questions and from anything which would disturb his mental recollection. And when he is obliged to open the door, let him not look about to see what is going on outside.

II—He must inform the Superior first of any errands or messages committed to him and afterwards the Brothers for

whom they are destined, if it should so please the Superior. Likewise all letters or packages given to him are to be handed over to the Superior only; nor is he permitted to send anything out without the command or permission of the Superior.

125. I—If some outsider should come to the door and wish to speak to a certain Brother, the porter is not allowed, without a special or general permission, to call the Brother or take the visitor to him. Should the Superior and Brother sought after be in choir or engaged in common prayer or at table, the porter will politely ask the visitor to wait until the end of the exercise, unless urgency should demand otherwise.

I—He should distribute with great charity the alms which the Superior permits him to give to the poor; and let him receive the gifts that are offered to the Brothers, even the smallest, with sincere gratitude.

III—Unless the Superior consents, the porter is not permitted to entrust his office to any other Brother. He should take care that none of the doors are left open; that all the doors leading outside the house are locked each evening and that all the lights which are not needed during the night are extinguished. Then let him take the keys to the Superior and call for them again in the morning.

Chapter XII

The Binding Force of the Constitutions of the Congregation

126. Since Holy Mother Church has approved the Rule of the Third Order, she trusts that all who profess it, being led by an exceeding love for our crucified Redeemer—a love which Saint Francis left to his sons as a precious heritage—will further the faithful observance of the Rule and of religious discipline without imposing upon them any special obligation. Wherefore she considers it unnecessary to deter them from transgressions by a fear of sin. Accordingly she does not wish the Rule of the Third Order to bind under pain of sin, either mortal or venial. As to these Constitutions and special prescriptions or ordinances of the different offices, the same holds good.

127. I—However, all should understand that even though the Constitutions do not bind under sin, they are not to use this as an excuse for transgressing them or to consider them of little import. Rather, let them strive to observe all their prescriptions with charity and generosity, knowing that, although not bound or constrained by fear of sin, they can gain great merit before God by the faithful observance of even its minutest prescriptions.

II—In addition, since they are bound to tend toward perfection, they should rejoice that such an easy means—the faithful observance of the Constitutions—has been given them with the approval of Holy Mother Church whereby they can save their souls and attain to perfection.

III—And since so many saints of both sexes have attained to eternal happiness by the faithful observance of their rules, the Brothers, having their example before them, should strive to observe their own Constitutions with increasing love and fervor.

128. Although the Constitutions do not oblige per se under sin, the Brothers should know that the transgressors of these Constitutions can be guilty of sin for many reasons. For:

1. by virtue of their vows the Brothers are bound to observe perpetual poverty, chastity and obedience. If any one therefore transgresses these Constitutions by which this obligation of the vows is imposed, he is guilty of a sin of infidelity, of breaking a promise made to God.

2. since by profession the Brothers assume the obligation of tending towards perfection in accordance with the Constitutions, they should preserve the general spirit and good will of living according to the Constitutions and of subjecting themselves to the sanctions imposed for any transgressions. He who fosters a contrary spirit so that (which God forbid) he seems to contemn the holy Rule, the Constitutions and the authority of the Superior can be guilty of grave sin.

3. we must recognize that a violation of the prescriptions of the Constitutions, even though not binding under sin, is rarely lacking in evil consequences and often rises from some sinful cause. In fact, he who offends against the Rules or Constitutions is usually led on by some inordinate inclination by which he has already sinned against some divine precept or vow. As a rule, a violation against the Constitutions alone does not constitute a venial sin and generally, especially when there is a reasonable cause, the offence is against the word of the Constitutions and not against the spirit.

4. if the transgressions against the Constitutions are frequently and deliberate, they will cause great harm both to the transgressor and the community; religious discipline will be gradually relaxed; and they will expose the transgressor, in proportion to their gravity, to a more or less serious danger of losing his vocation and of being expelled from the Congregation because of his bad conduct, unless he amends. The greater or lesser the danger, the greater or lesser will be the sin in this matter.

129. I—And finally—those can more easily fall into sin by reason of their office, especially Superiors, are obliged to be vigilant that the Constitutions be observed, lest religious discipline be gradually lost, and nevertheless permit of transgressions.

II—Although they ought not to punish each and every transgression, they are bound to admonish and even to punish, if it should be necessary, to prevent customs not in accord with the Constitutions from becoming established. As for the rest, they cannot change the Constitutions approved by the Holy See without the approbation of the Sacred Congregation of Religious.

130. I—All the Brothers, therefore, should strive to cooperate with the Superiors and make their burden of ruling as light as possible; thus they will be able to render a more favorable account of their stewardship to God. And so cooperating and

living in fraternal charity, religious life will be for all a heaven on earth and those who served God together on earth will rejoice together in heaven in the company of the virgins following the Lamb wheresoever He goeth.

II—That the Constitutions be better known and kept in mind by all, a copy should be given to each—both Brothers and novices; and in addition, they are to be read in the refectory each year during the month of May.

Chapter XIII

Benediction, Exhortation, Malediction of the holy Father Saint Francis

131. "And may whoever observes these be filled with the blessing of the most high Father in heaven and on earth with the blessing of His well-beloved Son and the Holy Ghost, the Paraclete to Whom be honor and glory now and forever. And I, Francis, your little Brother and servant, in so far as I am able, ratify and confirm in you, within and without, this blessing which may you share with all the powers of the heavens and all the saints now and forever. Amen."

"O most beloved Brothers! sons blessed in eternity, listen to me, listen to the voice of your father! We have promised much, more has been promised to us. Let us keep those (the promises) and aspire to these (the rewards). The pleasure of sin is short-lived but the punishment is eternal. Those things we will endure in this world are small but the glory of heaven is immense. Many are called but few are chosen and all will be rewarded according to their merits."

"May all those be cursed by You, most holy Father, cursed by the whole celestial court, cursed by me, the poor little Brother, who by their bad example harm or destroy those things which You have built up and which You do not cease to build through these holy Brothers."

DECREE

No. 2507 / 25—R. 47

In an audience with the undersigned Cardinal Prefect of the Sacred Congregation for the affairs of Religious Congregations on December 14, 1926, His Holiness Pius XI, by the grace of God Pope, after the matter had been carefully considered, deigned to approve and ratify the text of the Constitutions of the Institute of the "Poor Brothers of the Third Order of the Seraphic Saint Francis" whose mother house is located at Bleyerheide in the diocese of Roermond. The original text, already approved and now brought into conformity with the Code of Canon Law, examined and corrected by the above mentioned Congregation and of which this is a faithful copy, is kept in the archives of the same Sacred Congregation. The approbation and ratification of His Holiness is contained in this decree; in all these things, due respect is had for the jurisdiction of the Ordinaries as laid down in Canon Law.

All things contrary notwithstanding.

Given at Rome from the Secretariate of the Sacred Congregation for the affairs of Religious Societies on the day and year noted above.

E. Cardinal Lauranti
Prefectus

Vinc. La Puma
Secretarius

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